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Bevan Dufty (BD)	<p>Good morning and welcome to the regularly scheduled meeting of the City Services Committee. Today is Thursday, October 30. I am Supervisor Bevan Dufty, the Chair of the Committee. Joining me is Vice-Chair Supervisor Fiona Ma, our colleague Supervisor Gavin Newsom has been here and will return. As always, our wonderful Committee Clerk, Mary Red, is here to guide our proceedings. Cheryl Adams from the City Attorney's office is our Deputy City Attorney. And in honor of the tenth anniversary of Channel 26, SFGTV, I want to thank Mike Freeman, Don Fike, and Charles Kriminack for making it possible for San Franciscans everywhere to see our proceedings. Madam Clerk, will you call the first item?</p>
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	. . . Supervisor Daly and Madam Clerk will you call the item?
Madam Clerk (MC)	<p>Item number three is a hearing on the disability section of the housing impediments for two fair housing reports that will be generated by Mayor's Office on Housing as a result of the comprehensive housing affordability strategy process.</p>
Supervisor Daly (SD)	<p>Thank you very much, Mr. Chair, for calendaring this hearing. It is an incredibly important subject, I know that as we grapple with the crises in affordable housing in San Francisco, and it's been one of the toughest issues that face us here as a city, there are many dimensions to the crises. And if you take a step back and think about it, about one out of every five San Franciscans is living with a disability and it follows that folks with disabilities tend more to be poor here in San Francisco. There is a higher level of unemployment. There is even less in terms of earnings for those who are employed. For people living with disabilities who are on the Federal SSI program, we are talking, what, \$750 to maybe \$850-\$900 a month and to compare that to the cost of housing in San Francisco, right there you have a huge barrier, a huge impediment for people living with disabilities to access decent housing. You add a number of other specific issues that impact people living with disabilities: the fact that the housing stock in San Francisco, largely rental housing, is older and is not accessible to people with physical disabilities; the fact that, in terms of affordable housing of which, in terms of subsidized housing, there is not enough to go around, I believe it is 1 in 4, every San Franciscan is on a wait list for affordable housing is a person living with disability; the fact that there is no centralized clearinghouse, if you will, in terms of subsidized housing. I know that that is an issue that many folks who are concerned about affordable housing have talked about, but that disproportionately impacts people living with disabilities, especially if they are unable to navigate all</p>

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of the different, you know, all of the different processes and going to all the different locations to access all of the different applications. I mentioned affordable housing, the lack of affordable housing, but if you are living with disability you may also have to navigate discrimination that exists, both in the public sector and, of course, in the private sector, with some building owners choosing not to want to rent to people with disabilities. You also have specific issues of just structural problems where if you are on a fixed income and you are trying to access housing and you cannot come up with a security deposit because you are not allowed to save as much money as a landlord is asking for a security deposit, this and other issues, I think, that we need to take a specific look at. I congratulate the Mayor's office on housing, the Mayor's office on disability for taking, you know, an initial go at this and producing a report that I think is very comprehensive, has some very good recommendations, and my office will be following up on the specific recommendations that we can move into legislative format here at the Board of Supervisors to try and address some of the issues identified.

With that said, there is an incredible wealth of knowledge and experience in this room which I would like this Committee to hear from. I do want to apologize to Committee members and members of the public, both for the late start time, as well as my having to leave right now to attend an event that I had agreed to before this hearing was calendared. I felt that having this hearing sooner rather than later was reason enough to go out and schedule it even though I knew that I would have to leave at some point in the hearing. So I apologize that I have to leave now, I am interested in watching late night on Channel 26 all of your testimony and I look forward to working with my colleagues and members of the community who advocate on behalf and along side people with disabilities on this most important issue.

BD

. . . I would like, however, to accommodate some of the witnesses that asked for special accommodations, since it is only appropriate today, so there are five witnesses who have indicated that they need for reasons to testify early, and I would like to do that and then move forward with the balance of the hearing. So, it's going to be Peggy Costner, Brian Bassinger, Steven Adams, Boone Eduardo, and Tina Dalia and it will be three minutes apiece, and then we will move with the format. Welcome to the Committee.

Peggy Costner
(PC)

Supervisor, I passed by yesterday, and I am the person with the tape and it was okay to play the whole thing.

BD

Certainly, and is the tape here?

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PC	It's a six-minute tape, I've given it to you, it's cued where it should start, and I will tell you when to stop it. The other thing, public access doesn't have the money to pay for captioning because it is very expensive. We are looking into buying software but we don't have it yet, so could you speak to your, whoever it is, and ask them to go ahead and caption it as it plays?
BD	I think they will.
PC	Well, the words will be there, they should be able to hear the words. If they can.
BD	If they can . . . I think they will try.
TAPE	<p data-bbox="467 751 776 779">ILLEGIBLE AT FIRST</p> <p data-bbox="467 821 1390 999">. . . able-bodies people in the Constitution and Bill of Rights. How often do you think about people with mobility impairments and other disabilities? Of the decades of institutionalization, of the difficult fights gained by [ILLEGIBLE], places of employment, homes to live in, and homes to visit.</p> <p data-bbox="467 1035 1422 1213">Access to the sidewalk is a very important civil right because if you have no access to the sidewalk, you also have no access to political forums, to public gatherings, to religious services, to many educational activities, to many employment opportunities, and to social events that are held publicly or in private homes.</p> <p data-bbox="467 1249 1422 1535">Have you ever looked at the literally hundreds of people you can see on a busy day as you walk 8-10 blocks up a busy street, have you ever wondered where all the people who use mobility devices are? Why do you see so few? People who use canes are more visible. It is easier for people who use canes than for people who use wheelchairs or scooters to participate in the daily lives of the community. It is because people with canes and walkers can use sidewalks and some types of assistance to get into public buildings and private homes that they have more civil rights.</p> <p data-bbox="467 1570 932 1598">People who object to [ILLEGIBLE].</p> <p data-bbox="467 1640 1422 1890">Those words conclude that you are not important enough and you are not valuable enough. Your civil rights are expendable and ultimately that you are expendable. One day a very elderly friend was taking her doctor-ordered walk without someone to assist her. So the doctor had told her she needed someone with her. It is easy for her to grab my wheelchair while I hold her cane, so I walked with her. Her friends came up, looked at me, and then her and said to my friend, "Oh, you are helping someone in a</p>

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wheelchair.” My friend could not have pushed my chair if she had wanted to. It is a power chair [UNINTELLIGIBLE]. Why would people see a very frail, elderly woman, a woman that they know needs a cane to walk, and to assume that she was helping me because she was holding on to the handlebars of my chair. That attitude has to do with not valuing what a person who lives with a disability can contribute to society.

[UNINTELLIGIBLE] The one-step attitude is an attitude that has been so rigidly ingrained in so many people who sponsor and design buildings and other constructions that time after time both steps and ramps are built when there is plenty of room to construct one attractive [UNINTELLIGIBLE] that every one can use. There is such [UNINTELLIGIBLE] to build one large, legally constructable, local entrance. Does the building charge for cost of the ramp to the cost of accessibility? Where the main entry could function for everyone? The issues are not only financial. Most of the time steps are either the access to or the barrier to the social interactions that make life so [UNINTELLIGIBLE] and instill cultural values and attitudes. [UNINTELLIGIBLE] civil rights movements recognized that social gatherings are more than [UNINTELLIGIBLE]. Social gatherings are the stepping stone to employment, political involvement, and inclusion of the religious life of the community. For persons with mobility impairments, steps are the [UNINTELLIGIBLE] is go. Changing the situation will require many discussions, many many words. That said [UNINTELLIGIBLE] not to speak are [UNINTELLIGIBLE] more powerful than the words you do speak.

No person who is in need remains mutilated or deformed in any way so as to be an unsightly or disgusting object or an awkward person is allowed on the public ways or in other public places in this city nor shall they expose themselves to public view under a penalty of not less than \$1 nor more than \$50 for each offense. Chicago Ordinance, 1911. This was one of the “ugly” laws passed in cities around the country, including San Francisco. In 2003, the Supreme Court had two ADA appeals scheduled. In Tennessee, a disabled man was held in contempt of court when he did not come to court in spite of the fact that the courtroom was inaccessible on a number of floors. The State of Tennessee appealed the decision on the basis of state rights. The City of Sacramento, and over 300 other localities, appealed to the Supreme Court for the same reason. Whether or not localities are required to make the sidewalks and public buildings accessible should be, in their minds, a state’s rights issue. If granting anyone their civil rights was really a state’s rights issue, many states would still have racial laws and racial segregated facilities. Most women would still be secretaries or nurses.

It has never taken [UNINTELLIGIBLE] to stop people with disabilities from getting involved in the social conversation that determines everything

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	in popular culture, from who gets to be prom queen to who gets to be president of the country. Why? Because every step makes [UNINTELLIGIBLE] law unnecessary. The last census shows a 22% increase in the persons who [UNINTELLIGIBLE] in jails and nursing homes. Every home built has steps at every entry increases the potential number of people living in or jailed in nursing homes. Each of those homes deny people with disabilities access to social events.
PC	That's it.
BD	Thank you so much, that was an outstanding film. I would love to have a copy of it to take to some of the schools I speak to, because I really think it lays the issues out in an excellent way. Thank you so much. So, the additional witnesses who need to go early, Brian Bassinger, Steve Adams, Boone Eduardo, okay. Three minutes a piece, welcome to the Committee.
Brian Bassinger (BB)	My name is Brian Bassinger. Thanks for holding this hearing. It's tough out there and I was really excited about the opportunity to give you an idea of what my, what I am going through and what my partner as well. It might seem ridiculous, and it is, [UNINTELLIGIBLE], I just started making notes and it says have you been threatened with eviction? I have AIDS and am a long-term protected tenant and the building owner is an investor and wants more money. So, I have for years been going through tremendous amount of struggle to try and maintain my home. Beginning in 1997, you know, when the rents really started going up, I was the public information officer for Lambda Legal Defense during the [UNINTELLIGIBLE] trial, and that was in New York, and then after that I volunteered for the AIDS quilt, I used to be an employee during the display in DC, which was 1996. And then I was working on getting the AIDS quilt up online, so I was sort of coordinating that nationally and flying around, and I got a letter from her stating that I no longer had rights to tenancy of the building, that I had abandoned my apartment when I was simply volunteering on the other side of the country. After I didn't leave, she entered to the back of the building where I kept the remains of everyone who has died in the building in the garden, we all get cremated and get put in the garden, and she started throwing away my plants, knowing that my friends had been cremated were in there. Currently, I have also had another eviction threat. Her attorneys, Saul Firster, had verbally informed Ed Loomin at the Human Rights Commission that they were going to be having people view the building on my birthday and also while I was in the hospital and I asked to reschedule that. And they said that I was refusing to allow access to the building and had said that they were putting together eviction papers because of that. I have been unable to find affordable housing in San Francisco. I am stuck there. My disability checks, I can't afford to live anywhere else. I am in hell and I can't afford to get out. At

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	<p>one point, my partner had received a Section 8 voucher, and I thought oh finally, finally some relief. And the landlord refused to accept that Section 8 voucher and created all kinds of problems for me about that. Also, when we tried to exercise that Section 8 voucher somewhere else, for instance, we went to City Apartments and in our application, across the front, in big bold letters, they said Section 8 and faxed it in. And then we didn't get the apartment and when I asked why they said, "Oh, insufficient credit." Our credit is perfect; not a single flaw on it. But it was insufficient, whatever that means. I have been told by my current landlord 11 times since last September that I need to move. When I asked to have the mold that has eaten away through two layers of drywall in my shower and also all of the insulation behind it . . .</p>
BD	<p>Brian, maybe, I think Supervisor Ma wanted to ask a question to keep this cleaner in terms of keeping people equal in time.</p>
Supervisor Ma	<p>No, I was just wondering whether you have talked to the Rent Board, because it seems like some of these concerns, you know, are tenant-landlord, versus, I think, today, the hearing is on impediments to fair housing, so, I don't know if you were going to talk about Section 8 or San Francisco . .</p>
BB	<p>Right. The Rent Board, after 10 years of this, I finally submitted a Rent Board petition and I got a letter from her attorney saying that I was impeding her ability to sell the building and they may have to evict me because I submitted the Rent Board petition. I have also asked for reasonable accommodation because I don't get my disability check until the third but she has demanded payment on the first and I asked for a reasonable accommodation under the ADA because of that and she has refused to grant it because what she is trying to do is say that I am being chronically late with my rent because I have to pay it after I get my disability check. So, I mean, it's a very complex issue. The thing is, the overall issue here is that I am a disabled person, I am a long-term protected tenant, she wants to increase her upside on her investment, and she's creating all kinds of problems to get me out. One recommendation I would like to make and, thank you everybody, I know I have spoken too long, is that my situation is, I am in a two-unit building and the realtors have told me there is a 25% premium on condos, on condo ownership. Two unit buildings do not have to go through the condo conversion lottery. They can go straight to condo conversion, so myself and also my elderly neighbor, Woody, who has been there for 50 years, both of our buildings are being sold and we are being targeted by investors who see this as an opportunity to circumvent the condo conversion lottery, so I would like to suggest the Supervisors explore closing that incentive, to kick out disabled and elderly tenants in two-unit buildings, so if there is an eviction on a</p>

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Supervisor Ma	two-unit building of a disabled person or a senior, I would suggest not allowing that property the special privilege of avoiding the condo conversion lottery.
BB	Federal, social security disability.
Supervisor Ma	Oh, federal, ok.
BD	Mr. Paris Adams, Ms. Dalia, and Mr. Eduardo.
Paris Adams (PA)	<p>Good morning. My name is Stephen Paris Adams. To my friends I am Anond and I don't think I have any friends here. I have lived in this City 25 years. I arrived during, there was Harvey Milk and Feinstein and \$425 two-bedroom apartments. I worked in the financial district as an administrative assistant. I type 100 words a minute. With computer experience, I have lived in the Castro. In 1982 the AIDS epidemic appeared. 18,000 people died. Only 30 of them I knew and that was traumatic enough to push me into severe depression. I was put on disability. It was a dramatic change of income. I was living in Telegraph Hill with a battery of anti-depressant medications were being used. I lost my home in Telegraph Hill, ended up in the hospital. During El Nino I found myself homeless on the streets with two little dogs. I applied to Connard Housing, which is specialty housing for people with disabilities. I took two months to get a lawyer to help me make the reasonable accommodation of a service dog which federal law allows but is referred to by them as a pet. I am a little bit stressed out so I am trying to be concise here. On March 16, 2001, while living in a Conard building, four flights up, walk-up, tiny room, no elevator, at 6:00 p.m. I was attacked and bitten by a full-grown pit bull in front of the building on my right hand. The paramedic report states that there was a 1x3/4 inch wound. I have a photograph which I guess people use to . . . I don't know if this is going to show up. Yes, you can sort of see it. The paramedics' report states a blood pressure of coma. The service person at Conard Housing, Mr. John Zeckalowski, refused to call the police, refused to call an ambulance, laughed at me, make homophobic remarks and left me unconscious on the floor for two solid hours in my own blood and vomit. When I finally regained consciousness enough to get to the phone by 10:00 p.m. to call paramedics, he was overheard by witnesses to be telling them that I was simply a histrionic mental patient who could get up if I want to. I believe the blood pressure of 126 over [UNINTELLIGIBLE] as a coma. They were stupid enough to write it on the paramedics' report. They left me on the floor, laughing, making anti-gay remarks. Since this time, I find it odd that Supervisor Daly left, because on two separate occasions I provided this</p>

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information to him. I went to the police. I went to Willie Brown whose treatment of this was an embarrassment to the memory of Martin Luther King. I went to the Patients' Rights Advocates who told me they liked to think people are doing their jobs. I went to Adult Protective Services who did nothing. I went to Advocacy and Protection who did nothing. The director fired me, Mr. Katzman who runs Conard House. Richard Heasley came and told me only in life threatening emergencies do they need to call an ambulance. I have since written to Governor Grey Davis who referred it back to a Mr. Jim Gilday, who runs quality assurance. This is the problems resolution [UNINTELLIGIBLE]. It clearly states at the bottom a written investigation. . . [TAPE CHANGE]

. . . 1 1/2 years. I have since attempted suicide twice, I was moved to another building, I found the director of the Midori Hotel, Mr. Emerson Mullin, for six months ignored threats from another resident, including physical violence. There have been two suicide attempts. I was told by the City and County some problems don't get resolved. I cannot tell you the terror I am living in this building that is receiving City and County funding under the name of Conard Housing Institution. Why must Mr. Zackalowski, Mr. Tunis, Mr. Katzman, and Mr. Hughsley have jobs. I have seen them appear at these committee meetings appealing on how concerned they are for disabled people. I was left on the floor bleeding in my own vomit for a total of six hours and nine days later a doctor at St. Francis Hospital was amazed I didn't die. My feeling is, in terms of my disability, I would never have believed this when I worked in the financial district. I thought these kinds of organizations that offer plan of care and work through social services were held to some sort of accountability. Mr. Gilay has received letters from Governor Davis, from Stephen Mayburg the director of the Department of Mental Health, to respond in writing with their decision whether they think that it is rational for a case manager to leave a person on the floor bleeding and vomiting because of its location in the Tenderloin. I am shaking now, I am grateful you allowed me to speak. This is incredibly traumatic. The only option I see remaining may be now that Grey Davis, you know, I am the least of God's children, Grey Davis is gone, maybe Governor Schwarzenegger will look more seriously at this. Or Barbara Boxer, Nancy Pelosi, Feinstein, and Senator Kennedy. I would like to say in closing that I presented this matter to Gavin Newsome who laughed in my face, LAUGHED IN MY FACE, on the morning of 9/11/2002 where they were eulogizing the dead. I presented this to so-called advocate for gay people, Tom Ammiano, who didn't even bother to respond in writing. And, as I say, as for Mayor Brown, he is an embarrassment to the memory of Martin Luther King. Thank you for allowing me to speak. It's 2 1/2 years later, I am on three medications for post-traumatic stress disorder, and what if it happens to me again? If I fall and have a heart attack or if I am injured? Will they just

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leave me on the floor again and then this so-called quality assurance [UNINTELLIGIBLE] who I also contacted will just write it off? I felt like a body left on the floor in a black plastic bag to be taken to a medical school as a cadaver to be used for autopsies. I am sorry I am running over. I want to know, when I presented this to Mr. Daly at the Elder Abuse Committee and also in person at his reelection group, he assured me will look into this, we'll contact it, why didn't the police, I went to the police. It's 2 1/2 years later, and you know what people, quality sucks, the mental health system stinks, the people are getting away with it. The last time I attempted suicide I was unconscious three days on a machine before I regained consciousness. I think it would have been cheaper for the City to have taken me in an ambulance and have the stitches done and by not apprehending the criminals with the pit bull. There was no rabies test done on the dog. In fact, the paramedics laughed at me in saying you are afraid of rabies? They write it down. They said he was afraid of rabies and we would have taken him if he could have walked downstairs four flights but with a blood pressure of coma, I am sorry, I am at my wits end. I don't know what to do. Patients' Rights who say they help you find an attorney. The woman called me once. ONCE! And then when I contacted Grey Davis she called me once again. No one should, the people are terrified that live in these Conard buildings. They have direct deposit income, their case managers have stolen money from them and you know what, if you complain they start the grievance procedure and the next thing you know, you are homeless. Believe me, being homeless at the Episcopal Sanctuary in the middle of El Nino in my world of \$90 neckties when I worked in the Embarcadero Center, I have never seen, and then in May she filed a police report and got me arrested, claiming I spit on her which I didn't. And I ended up five days in a hospital. I have at least four doctors testifying that my mental health is worse since the City and County of San Francisco's Conard House Department of Mental Health helped me. I am sure there are other people out here that have it but they are afraid to speak out because then they LOSE your check and then they start writing grievances and the next thing you know you are one of those bodies with a cardboard box and a shopping cart. Half the people I know have become alcoholics and addicts AFTER they ended up on the street. Not before. Forgive me for running like this, but . . . I don't know what to do now. I pray a lot.

Supervisor Ma

Thank you for coming and for those, if they do have complaints against Conard House, I mean, I would be interested, you know, please email me and, you know, for those, if they are the people with problems, I would be interested . . .

PA

They are afraid. Mr. Gilday [UNINTELLIGIBLE]

Supervisor Ma

Okay, if you would like to correspond with my office or email me because

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PA	any agent that gets City funding if they are not treating people with the dignity and respect then they shouldn't be receiving City funding and I take this very seriously, so.
PA	I appreciate you confirming a reality check for me meaning he told the residents it was a scratch and that I was a histrionic queen. Thank you, Ms. Ma.
Supervisor Ma	And if you could drop a copy of your police report or the medical report to my office, I'd appreciate that. I am just across the hall. Thank you for coming in.
PA	I never would have believed those people. You can't believe what some of these people are doing [UNINTELLIGIBLE].
BD	Thank you, and I appreciate people's patience and it is difficult for me to try and stick to the three minutes and I realize that people are speaking very deeply from the heart and so I appreciate your patience. I want to be respectful of everybody. So, Ms. Dalia and Mr. Eduardo.
Ms. Dalia	We will try and see how we do. I also am going to be giving you written testimony by Dr. N. Meyers who is President-Elect of the San Francisco Medical Society, Jeff Shoefeld who is the program director with Family Service Agency Adult Care Management and Dr. Lisa Capaldini, who is in private practice.
	I am a survivor of a housing-related hate crime and I am disabled, transgendered and a person of color. Up until two months ago I lived in a government-subsidized building where criminals are employees. This is harder than I thought. While allegedly being in violation of probation for substance abuse, one of the people committed a violent hate crime against me. The same perpetrator committed another housing-related hate crime against another disabled person who lived in the building. After she filed a police report, she was evicted from her home. The last time I was in contact with her, she was homeless. In my case, when I filed a police report after the initial crime, I encountered subsequent harassment, which I have also reported. The harassment caused me to seek safe housing elsewhere. When I finally relinquished my home, I thought the harassment would end. It has not. I have been publicly humiliated and I live in fear. The little financial stability that I had is gone. I have traded my studio apartment, it was three minutes, by the way, but I am so choked up I am having trouble getting it out. I have traded my studio apartment for a 10x15 foot non-handicapped equipped SRO room where I have lived for two months. I wanted 2 1/2 years for this room. I share a communal bathroom with another person and her guests. In spite of the fact that the

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building houses heroin and crack addicts and chronic alcoholics, the management company is more responsible. The situation is an improvement even though there are many serious problems. All employees of any subsidized funded building must be held accountable for their actions. I should not have been forced to choose between reporting a serious crime and losing my home. I am sorry. Our taxes pay for subsidized housing. The owners and management companies of these properties need to be held accountable to the people of San Francisco. We need a well-publicized open community hearing which will allow public testimony. We need to know if people are being targeted due to race, homophobia and/or disability. We need to investigate the past behaviors of the owners and the management companies as well as track them in the present. Without this kind of scrutiny, business will continue as usual and the homelessness and public housing problems will persist. I have encountered many disabled people who have faced serious criminal and civil issues with regards to subsidized housing. Service providers are frustrated by the situation. There is a fear that if they speak out they could lose their funding and they cannot legally discuss their clients. The police cannot arrest the criminals if people are too afraid to report the crimes. San Franciscans must all work together. We face a serious problem with regards to public housing. The Board of Supervisors must take a leadership role in helping us to end this corruption. Disabled people should have the right to live in accessible, clean, affordable housing where we are free from violence. Thank you.

Tina Delia (TD)

Hi, I'm Tina Delia, I am the Hate Violence Survivor Program Director, Community United Against Violence, and I am here for two very important reasons. The first one is to support Boo Eduardo who spoke so courageously today and he was really the one that came to me and asked if I would be here today and I feel like he has brought up so many incredible, meaningful, important issues that I want this Committee to really take in deeply. The second reason I am here is to basically tell the Committee that his story is not one in isolation. That CUAV (Community United Against Violence) hears from many lesbian, gay, bisexual, transgender, queer and questioning and also heterosexual hate crime survivors with disabilities. Because CUAV also serves heterosexual as well as LGBT people with HIV and AIDS that are also being discriminated against for hate crimes as well as other kinds of disabilities. We serve immigrant populations, youth and elders and, unfortunately, hate crimes, sexual assault and ongoing harassment are many issues that we know people are facing in housing. And when someone is saying maybe they are choosing between the street and living in violence every day in, you know, in their home, we know we are really at our wits end. So thank you very much for having us speak today.

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I have an outline from Supervisor Daly that lists departmental representatives and community representative so, Bill, is it okay, shall I proceed with the departmental representatives to start with? So, Alicia Klein from the Mayor's Office of Housing, Susan Misner from the Mayor's Office of Disability and Elizabeth Colamello from the San Francisco Redevelopment Agency are the first three.

Alicia Klein (AK)

Good morning Supervisors. I have some overheads, let's see if I can make this work. If it is possible to do the captioning over the overheads, that would be great. My name is Alicia Klein, I am the Planning and Monitoring Director at the Mayor's Office of Housing and I want to thank you for giving us this opportunity to let you know about what we have been studying in the area of fair housing impediments and today I am going to focus on as the nature of the hearing, the impediments relating to people with disabilities.

We are just wrapping up a year-long effort to produce a report called the Analysis of Impediments to Fair Housing and what that is, is a report that is required by the Federal Government, by HUD, in order to continue receiving federal housing dollars. There are over 25 members of the community, many of whom are here today, who participated with the Mayor's Office of Housing and other city departments to contribute to this study and those 25 folks represented about 18 different community groups. One of the groups focused in particular on disability issues and the authors of that group are here today and the results of their efforts is a report to the Mayor's Office of Housing on housing impediments relating to disability. I believe that will be distributed to you. And that report is incorporated in our overall analysis of impediments as an appendix.

The draft of our analysis of impediments will be finalized in the next month and it will be sent to all the Supervisors and also delivered to the main library in the government documents desk.

So what did we find? Here's the background. Supervisor Daly mentioned some of the facts. Right now there is an estimate of approximately 63,000 San Franciscans who are physically disabled but as the report on disability in our appendix indicates, it is actually impossible to quantify the number of people with disabilities just based on the nature of what is disability, but this is our working estimate. And, also, as Supervisor Daly indicated, the main impediment to fair housing in San Francisco is the affordability. That applies whether you are able-bodied, disabled, any variety, the affordability bit is the biggest problem. But, again, it ends up hitting folks with disabilities harder due to income levels. Right now, about 1/3 of all San Francisco households are overpaying for their housing. In the rental

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market, the least expensive Supervisory district, the average two-bedroom unit was over \$2,000 a month, which is 1 1/2 times the income level of the average low income household and home ownership is just way worse. Only 6% of the homes in San Francisco were affordable to the median, we are not talking low income, only 6% were affordable to the median income household and only 11% of San Francisco households could afford the median price home.

We also focused on what are the population of residents in San Francisco that have special needs relating to housing. I am not going to repeat this whole list, but to focus on a couple of points. Beyond just physical accessibility, there are needs for persons with psychiatric disabilities that would indicate that we need to think a little bit more broadly about what is accessibility, what defines accessibility, because there may be beyond physical space light and sound environments that are necessary to create an actual accessible housing. Also, our population of elderly is growing in numbers and in frailty as our population ages. By 2010 we are estimating that there will be nearly 30,000 elderly folks who will experience mobility and self-care limitations.

So what this means is, much of what Supervisor Daly's introduction, our study also found those same difficulties with the Social Security income, not only is the income low, but also there are the limitations on how much recipients can save in their savings account. The maximum is \$2,000, and if you compare that to the average asking rent, it just doesn't compute if you need to give first and last's month rent.

The other attitudinal barriers that some people with disabilities with found were indicated by some of the witnesses this morning, that staff is not always open to providing the appropriate level of housing and care for people with a range of disabilities and there is, we have heard a tendency of cream, so-called cream, of only taking folks with the least perceived disabilities and not serving those who may actually be able to live in housing if given the appropriate accommodations. This slide is actually repeating some of the points made by earlier testifiers about how, the nature of San Francisco's housing stock is a challenge to serve folks with physical disabilities.

The other point is that most of the accessible housing has tended to be studios and one bedrooms, in other words smaller units, and there is an unmet need for larger, two bedroom units and larger to accommodate families where a member has a disability or folks with disabilities who need to live with a live-in aid and that is very difficult to shoe horn into a smaller unit.

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The next component of analysis of impediments was to look at fair housing complaints in San Francisco. And these are complaints that have been collected by local agencies and namely the Human Rights Commission who will be testifying later, a nonprofit group called Project Sentinel, and the state department and the federal department within HUD that monitor fair housing claims. What we have found consistently across all four sources is that disability ranks the top reason for a fair housing complaint. This past four years, that has superseded race as the most frequent basis of complaint, so we know that this is a real concern for San Francisco.

Here is just one table from our analysis of impediments. This is a compilation of those four sources of complaint data and you can see, halfway down, the disability is by far takes the lion's share of the complaints. Mind you, the 2100 is complaints, these are not resolved, so the number of complaints may be artificially low because not all complaints are recorded, but also those have not been investigated.

So let me jump to our recommendations and these are a work in progress and they focus on about four or five main areas and I just want to highlight a few. I am not going to talk about every single one on each slide. The main area that will benefit all San Franciscans but also help folks with disabilities is housing affordability. One way to do that would be to enhance the availability and usability of Section 8 vouchers and one possibility is to pursue requiring inclusionary units to accept Section 8. Secondly, recommendation is to enhance the centralized online listing of San Francisco affordable housing which was mentioned earlier. This is an effort that is currently underway and we are building on Mayor's Office of Housing's current existing web listing. More affordable housing recommendations that are being put forward and I'll be giving these handouts to you so you can take them back. A second area that will benefit all San Franciscans and also help increase affordable housing is enhancing the acceptance, building on the community acceptance of affordable housing. This will require expanded and continued community outreach and public education to build support for affordable housing and to place those affordable housing needs within the context of the planning efforts the Planning Department is conducting. Also, we need to expand on San Francisco's Fair Housing educational efforts with the publicly support housing and in privately supported housing and this is something that is, the Mayor's Office on Disability is starting an exciting new program to provide training to every single staff person in all City funded buildings to orient them to fair housing requirements. So hopefully that will help address some of the problems we have heard about today from the witnesses which I was very disturbed to hear, as well. We need to continue to review how the Citizen's Right To Know Act is being implemented with

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requires notice for City investment in publicly funded facilities to make sure it is not having a disparate impact on facilities serving people with disabilities. And we need to continue to expand on work being done by the Human Rights Commission, Project Sentinel, and other fair housing education advocacy groups.

Now focusing specifically on accessibility, we came up with a number of recommendations. Primarily to continue our efforts to create more accessible and adaptable units in affordable housing. That would be a great thing. What the City has adopted, both Mayor's Office of Housing and Redevelopment Agency are we have established our own internal goals which go well beyond the federal requirement of 5% accessible units in each building to have a goal of, for new construction 50% of all new units have to be adaptable, meaning they could be converted into a fully accessible unit with not too much additional work. And 20% of units in any one development have to be adaptable. And for rehabilitation projects which is much more difficult given the housing stock, our goal is 10%. Let's see, and within housing, especially affordable housing, we need to be providing services that allow people with disabilities to apply for and retain their housing and that means helping folks with cognitive or maybe with mental health disabilities to be able to fill out the application forms and then, once residents are in place, to provide the services that are necessary in order to help folks retain their housing and to thrive in their homes. And that requires dollars.

One suggestion that was made would be to create funding for or a new organization that would help renters City-wide, not just in affordable housing but in privately owned housing, to adapt their unit to make it reachable. In other words, to have a reasonable accommodation fund for modifications that the landlords are not willing to do. There are recommendations regarding public housing to enhance their services for people with disabilities. I have recommendations for enhancing the fair housing education and enforcement and on this point I just want to emphasize the second bullet, which is the role of the City departments, namely Mayor's Office of Housing and Redevelopment Agency, in monitoring how buildings are rented up and to make sure we are, our policy is now to review every single marketing plan to make sure that buildings are able to look down the waiting list if there is an accessible unit to see if there is a family that needs that particular level of accessibility so that they can be placed in the unit and it is used to its best effect and also, if there is not such a family, that if there is a family without disabilities that is in that accessible unit, they have to agree to move to a comparable unit if a family with that disability comes up to the top of the list. And so that unit can be used to its best effect.

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So in conclusion where do we go from here with all these valuable recommendations and many more ideas which probably haven't yet been captured. It is an ongoing process, it's not just, these are not steps that the Mayor's Office can take alone, it is going to take a lot of collaboration between City departments, Supervisorial leadership, advocacy groups, affordable housing developers, and one venue for that discussion to continue is the CHAS Accessibility Subcommittee. CHAS means the Comprehensive Housing Affordability Strategy, and that is the policy advisory group for the Mayor's Office of Housing and the next meeting which I want to invite you to and anybody here is November 19, that's Wednesday, at 12:30, and if you are interested in receiving notice, I invite anybody here to come up and see me afterwards and we can put you on our distribution list.

What did that stand for?

AK

Comprehensive Housing Affordability Strategy.

And we are affording our department representatives additional time because your work is the foundation for the testimony. I want to touch on a couple of things briefly. First, from two of the three witnesses you have heard already, it's clear that there is need for grievance systems. The fact that someone is outline a problem doesn't necessarily mean that it is valid, fully valid, but can you outline what exists currently in terms of grievance procedures? It seems to me it's very decentralized so I don't know what's the ultimate accountability, if someone is a resident of John Doe House and they feel that they have been aggrieved and they go through, I would imagine as with our shelter system and other public facilities, their grievance procedural requirements but if they still feel aggrieved through that, what's the appeal mechanism that they have currently?

AK

You are correct that it is decentralized, that first step is building by building. We would look first to has the resident contacted the building management and any service worker at that building to register the complaint and proceed that way. If that is not assessed, if that doesn't reach a satisfactory resolution, then they, the Mayor's Office of Housing would, does want to hear about that complaint because that is not acceptable for that kind, if that activity is happening, that would not be acceptable to us and we would need to hold our borrowers accountable.

And, I do recognize when I was directory of neighborhood services, that I used that mechanism, but it seems to me that part of having a system that is accountable would be the designation of a fairly public ombudsperson within the Mayor's Office of Housing who would be visible and known to

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be that person to ensure that people's rights are being, you know, upheld, and I think that is a responsibility, I mean, you know, the bricks and mortar are very expensive, I understand that, but we are building it for people and what we heard today was someone who may have slipped from a better standard of housing to a worse standard of housing because of a grievance situation. So, one of the things that I felt about the recommendations is that they are somewhat loose, and I recognize that the Mayor's Office of Housing can't wave a wand and make things happen, but I really would like to invite you and the Mayor's Office of Disability and your accessibility subcommittee to really set milestones and benchmarks to actually do things. I mean, we listen to what you laid out, but I don't actually know what will be done or who is on the hook to do things and I think that is something that I would like on behalf of the Committee to really challenge the departmental representatives to listen to the issues that are raised today and then I would like to continue this hearing and bring you back and let's look at some specific, give me a 10-point plan of what you are going to do, there are probably 20 things out there and they are all good things, but I think that for the people that are here today, it would be helpful if we could achieve some measurable goals. And for me, the most important thing is I do think after hearing just those two witnesses, that a visible designated ombudsperson that has the ability to move from the Rent Board to the Housing Authority to these different contractors and just basically to ensure that people's rights are being protected. And obviously, you know, I understand that providers are working with vulnerable populations and I understand we had a witness today who had exhausted a number of different options and it was frustrating because he expressed his dissatisfaction with some public officials and I wouldn't echo that I am certainly, and I know Fiona and I are equally culpable, we can't solve every problem brought to us and I felt badly but I did not want to distress him and it was clear it was uncomfortable for him to do this, but I do feel very strongly that that is something I think we should continue with and come back within a month and let's have an ombudsperson, I mean, there is sufficient resources with in the Mayor's Office of Housing to do this and I think it should be done.

I would just like to echo Supervisor's Dufty's comments but in terms of accountability, I think we need to hold whoever we give money to accountable and I am just wondering whether your department, you know, looks at all the complaints of all the different agencies or nonprofits or housing corporations that we fund to say are they doing a good job, do they deserve to be refunded. I mean, what are the criteria to refund some of these agencies? I mean, I have been having problems with some of the homeless shelters, you know, I go down there, the showers are broken, the bathrooms are locked, yet we still give them money year after year without any sort of accountability. I am concerned. So, I am just wondering if you

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AK	<p>can tell me what kind of standards or what kind of formats our offices follow or City government follows in order to continue funding each year.</p>
AK	<p>Well, I can't speak for the shelters, that's not . . .</p> <p>I understand that . . . I have gotten to the bottom of that.</p>
AK	<p>With regard to the City-funded housing or Mayor's Office of Housing funded buildings, we do annual monitoring of the buildings and we get to as many, we physically go to as many buildings as we can, although we wish we could go to all, we actually don't have the staffing in order to physically visit the buildings on an annual basis and when there have been, when a situation has gotten so, in a building where the maintenance has gotten to be obviously or tenant-relations so extreme it has, there has been occasion where we actually did hold off on providing new funding until that situation was resolved, so that is taken into account.</p> <p>Perhaps there could be a more formalized way. I mean, when we get applications for liquor licenses, you know, we get a report from the police that say how many complaints have they received, what the area is, you know, and then it factors into our decision whether we want to give them a liquor license based on past practices or the area, and I am just wondering if, it would be helpful in reviewing, you know, talking about how many complaints have they received, how many units, how many disabled folks are there, or, you know what I mean, just some sort of survey about all the different programs that we fund just to ensure that complaints that, like being lodged here today, are being heard and being taken seriously versus well, it's only one complaint. But still, somebody should be following up and there should be some notation in terms of what we are funding, they are getting complaints and for what.</p>
AK	<p>Well, certainly when a complaint gets to the level of coming to the attention of our office, we do collect that information and take action and communicate between our asset management and monitoring side which I am involved with, communicating that back to our development side which provides the new funding, so that communication does happen.</p> <p>Ok, so you get a list of complaints. Could you give me a report of the complaints that have been submitted to you on, whatever, has been coming in the last year?</p>
AK	<p>I am sure I could.</p> <p>By provider?</p>
AK	<p>I am sure I could. I have to say, though, our asset manager just took</p>

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	<p>another position so we are understaffed so it would take me a little while but I am sure we could do that.</p> <p>Ok, that would be interesting for me to take a look at.</p> <p>And, Alicia, the last question I have, you said that one of the goals was to have inclusionary housing units accept Section 8 certificates and I may be not wise on this, but it seems to me that that is one bite of the apple versus two, that the inclusionary unit is already affordable, so why wouldn't you want the Section 8 to be used in the private sector, so that you are not wasting that certificate when it could be going out in the market instead of having one affordable unit with a certificate on top of it, you'd have hopefully two that were accessible, and I may not understand . . .</p>
AK	<p>That would be ideal, that would be ideal, and there is law in San Francisco prohibiting discrimination based on the source of income. However, it is, with the private sector there is no, I guess the idea came up with inclusionary because there is a government involvement in the approval of the permit for that unit, compared to the private sector, landlords which ideally would all, it would not be a problem for private sector landlords to accept Section 8 but there is no hook.</p> <p>I just didn't fully understand, maybe some other witnesses will speak to it.</p>
BD	<p>Thank you so much, and I appreciate you staying in case there were questions. Susan Misner, the Mayor's Office of Disability.</p>
Susan Mizner (SM)	<p>Good afternoon.</p>
BD	<p>I want to welcome Gail Johnson who is our guest committee clerk. Soon to be deposed [UNINTELLIGIBLE].</p>
SM	<p>Are we wired?</p>
BD	<p>Yes, we are.</p>
SM	<p>Okay, thank you. Good afternoon, Mr. Chair, Supervisor. My name is Susan Misner. I am the acting director of the Mayor's Office on Disability. I want to thank you and the AIDS Legal Referral Panel for convening and organizing this hearing. I want to thank the Mayor's Office on Housing for the excellent work they have done on the analysis of impediments. I want to get through my presentation quickly so that other people can speak. If the captioner is not keeping up with me, let me know. You should feel free to interrupt me as well with questions.</p>

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The Mayor's Office on Disability is responsible for ensuring that every program, facility, activity, benefit and service of the City and County of San Francisco is complying with the Americans With Disabilities Act and virtually every other disability rights law that is out there. In the case of housing, the Fair Housing Amendments Act is the preeminent law, the federal law, that governs behavior. We also receive, we are a source for grievances and one of the reasons I am just chomping at the bit to get up here is that if there is a City-funded housing place that is violating the law or there are complaints about it that are disability rights-related complaints, we want to hear about them. Our office receives those complaints. Our office receives inquiries, service requests, requests for referrals on a whole range of disability-related issues, it probably comes as no surprise to you and to the people in this room, that housing is the most frequent inquiry that we get from the public. We work with a wide array of departments on access issues and one of the efforts that we participated in is the analysis of impediments and the disability subcommittee which met for the better part of last year to develop this report for the Mayor's Office on Housing. This is a 15-page report that, as Alicia says, has been incorporated into the body of the analysis of impediments but is also a standalone document in the Appendix. We have additional copies here at the information table for people who would like to have them. We also would encourage anyone who needs this in the alternative formats to contact our office and if I can give our office information quickly. Our phone number is 554-6789, the captioner getting that? Thank you. Our TTY number is 554-6799 and our email address is mod@sfgov.org. Thank you.

The focus of my testimony today is going to be on the areas of the subcommittee report that our office actually has jurisdiction over. I will try and highlight the problem, give the report's recommendation, tell you what the Mayor's Office on Disability is doing on this, and if there is anything that the Board of Supervisors might be able to do. So, as you pointed out, we have a two part problem. We have the building structure issue and we have the people problem. The buildings simply are not accessible and the people frequently are ill-informed or outright discriminatory. So, let's turn to the bricks and mortar issue first.

Most of the housing in San Francisco was built before 1940. The vast majority of it was built before any access code requirements were put into place in the 1980s. So we have very few accessible units. Obviously we have to rely on new structures in order to increase accessibility. All new structures are required to have adaptable units. Now, I don't know if you know the difference between accessible units and adaptable units, but accessible units are those that are ready and waiting for people in a wheelchair to be able to use them. Adaptable units already have things in

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place that can be modified if someone needs to use them who is in a wheelchair. So the doors are wide enough, the counters can be lowered in the kitchens, the bathroom walls are reinforced so that grab bars can be put in. If we had 100% adaptable units we probably be well on our way to creating the accessible units that we need. But there are very wide loopholes in this requirement that you can drive huge construction crews through. Any townhome is not required to be adaptable or accessible. Live/work lofts are not required to be adaptable or accessible. And single family dwellings are not required to be adaptable or accessible. In order to address those loopholes and make sure that construction in San Francisco doesn't take too great advantage of them, we have developed with the Mayor's Office on Housing the guidelines that Alicia Klein outlined for you. At least 50% overall are going to be adaptable, at least 20% within any particular development have to be adaptable and, because reconstruction, renovation and rehabilitation is within older buildings and it's harder, only 10% there.

Our office, through architectural plan reviews and site visits is really the enforcing mechanism for these goals. We review for architectural accessibility every single publicly funded new construction, new housing, that there is in the City. One of the recommendations that this report makes is that all new housing be at least visitable. It doesn't mean that all housing is easily adaptable or fully accessible, but it does mean that if you are in a wheelchair, you can get in the door, you can get to the living area, the dining room, and at least one bathroom. That's a recommendation that has been made. Another recommendation is that live/work lofts either require accessible units within the construction or that they be eliminated as an option in San Francisco. Both of these recommendations would take leadership from the Board of Supervisors and implementation, and if that were put in place, the Mayor's Office on Disability would enforce.

Ok, so I want to turn to the people side of the problem. There has been a lot of work with the Mayor's Office on Housing, CHAZ Accessibility Subcommittee. One of the major obstacles is just the application process and you may hear that for subsidized housing people have to go to tens if not hundreds of sites to fill out applications here, fill out applications there. For people with disabilities, that tends to be an obstacle. And one of the recommendations is that a uniform preapplication be created that could be used everywhere. The preapplication is important because most housing is done by lottery, and I'll get to that in a minute, but every housing has its own requirements, some housing is designated for people with HIV, some housing is designated for families, there are going to be very specific and detailed applications for that housing, but having everyone fill out a full application which is often 15 to 20 pages long, for every one of those housing units is a waste everyone's time. And it's a real barrier for people

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with disabilities. One preapplication that basically states what your status is, how to contact you, would simplify the process a great deal.

Another one of the issues has been first come/first serve approaches to waiting lists. And I am hopeful that we have addressed that. Through the CHAZ Accessibility Committee, we have created an application dos and don'ts for housing providers. Simple, two pages, there are copies also available on the information desk, and the Mayor's Office on Housing has agreed to require that there be no first come/first serve openings for waiting lists. When you have first come/first serve, people with disabilities can't get up at four in the morning, their attendant may not get to them until nine in the morning. They can't spend the entire night outside, they may have chronic illnesses that would make them vulnerable to greater infections. And we have heard really horrible stories about people with disabilities being intimidated and coerced to give up places in lines, so this is a major step that the City has already taken, and I hope will continue to be enforced.

And then, last but not least, discrimination issues among staff, landlords, managers. I want to reemphasize one of the statistics in the analysis of impediments, which is that 40% of the overall complaints are from, are disability access complaints. So, we have situations in which persons with disabilities are not allowed into housing because of their disabilities. People with disabilities are not accommodated as tenants and people with disabilities are evicted because of their disabilities or because of disability-related behavior. As Alicia mentioned, one of the major efforts that the Mayor's Office on Disability has undertaken is a training process. We are funding training for 900 people in the next 21 months. We expect that the majority of that will be staff at City-funded housing providers. There will be some tenants as well to increase knowledge and expertise in the tenant population and a few community advocates. We will also be monitoring compliance with the Fair Housing Amendments Act. We know that this is a staffing issue but we have this as part of the contract to do up to 50 unannounced site visits. Most of these site visits will be relatively brief and some of them will be a great deal of depth, interviewing staff and the residents. One of the things they will be monitoring is whether there is a notice. It is crucial that clients know what their rights are under the Fair Housing Amendments Act. We have drafted both a sheet explaining to housing providers what they need to think about in a notice and a sample notice for them and the Mayor's Office on Housing has been distributing that as well as our office for housing projects.

Finally, I want to just speak to the ombudsperson issue. We are also in contract with an entity to review our ADA grievance procedure, that's Citywide. They have been looking around the country at other ADA

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SM	<p data-bbox="464 264 1425 621">grievance procedures to give us best practices. And one of the recommendations that is on the table is an ombudsperson to help people with disabilities in their complaints and the complaint process. So we will be running that by a number of stakeholders in the community and in the City and would love to get your input on that. So, I wanted to let you know that there are some steps that are being taken, that there are, that there is good work that the City is trying to do. But I don't want to give the impression that we are not in a crises. This is still a huge issue, it needs a great deal of attention and a great deal of funding. So I appreciate, again, that you are holding this hearing and that you are taking the time.</p> <p data-bbox="464 659 1377 726">I was also going to ask you, have you gotten a lot of complaints in your office or letters of complaint?</p>
SM	<p data-bbox="464 764 1425 1012">We get a fair number of complaints. Many of them are in privately funded housing. One of the recommendations in the report is that there be increased education for private landlords. Clearly the Human Rights Commission is the entity that tries to enforce civil rights complaints in the private sector. I would be happy for us to go through our database, redact the names of the complainants, and give you the housing issues that we have come across.</p> <p data-bbox="464 1054 1425 1192">That would be great because as we are going through another budget cycle, all these providers do pop up and we are not really sure which ones are doing a good job, which ones aren't, and so it would just be interesting for me to know. Thank you.</p> <p data-bbox="464 1234 1425 1549">I also ask that Ms. Coster, who made the video that we saw at the beginning of the hearing, when you work with vulnerable populations sometimes the rules and the regs and the written paper don't work as well. I thought she did a great job of very straightforwardly presenting what the issues are. I think that some of the things you are talking about in terms of people's rights and responsibilities, it might be good to look at something, what she is presenting so that people could see something that might not be in writing and might be very straightforward. I thought it was a very articulate video.</p>
SM	<p data-bbox="464 1591 1377 1619">Absolutely, yes, she's done some great work. We like working for her.</p> <p data-bbox="464 1661 1425 1839">Thank you. Thank you for being with us today. I note on the . . . Supervisor Daly wanted to Bill Hirsch from the AIDS Legal Referral Panel who is referenced as the individual who organized this hearing to testify at the early portion, so before I take the rest of the departmental representatives, I though I would bring Bill up and let you speak.</p>
Bill Hirsh (BH)	<p data-bbox="464 1881 1425 1908">Bill Hirsh with the AIDS Legal Referral Panel. I want to thank Supervisor</p>

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Ma and Supervisor Dufty as well as Supervisor Daly for taking the time to learn more about these issues. Some of us have been involved in this work for a long time and we have seen many reports that kind of sit on shelves and collect dust and I really wanted us to take some time to get more information and to hear some compelling testimony so that we have a little of fire under our butts as we proceed with working to address these issues. The AIDS Legal Referral Panel provides legal services for people with HIV and AIDS. We have seen a dramatic increase in the legal needs of people with HIV related to housing. We now serve over 500 individuals with HIV in our housing unit each year. There is a crises for people with disabilities in relation to housing. For people living with AIDS, to the extent that they have been able to manage this horrible illness, it is absolutely essential that they have access to decent, affordable housing. It is impossible to take those drugs and have a successful outcome if you do not have stable, affordable housing. So I want to thank you again, I know, it is unfortunate that a number of folks aren't going to be able to hang out and offer their testimony, I have written testimony from one person who could not come, Margo Antonetti, from the Department of Public Health, Housing and Urban Services, is not able to stay as well, but she said that she would be happy to respond to questions if you had any down the line.

Margot left already?

BH

Yeah, she needed to leave. I know that people are getting hungry, we are moving into the lunch hour, I really appreciate again your time and look forward to looking with all of you as we move forward to address some of the recommendations.

BD

It would be my hope and I would look to Ms. Klein and Ms. Misner to indicate if a month's time, or Bill, what would be a reasonable time, because I would like to have a response on the grievance procedure ombudsperson idea and then maybe to approach some of these recommendations with more specificity. You know, as Ms. Misner testified, if we could look at the issue of loft housing and even have it set aside for have a response on that issue, I think it becomes more meaningful, so it would be helpful to have that be more directive and perhaps you can consult among one another and say is this a four week thing, a six week thing, how long should we wait? We are certainly here to take testimony, you know, as long as there are witnesses. Elizabeth Colomello from the San Francisco Redevelopment Agency. And then Ed Ilumin from the Human Rights Commission, Belinda Lions from the Mental Health Association.

Elizabeth
Colomello (EC)

Hello Supervisors, I am Elizabeth with the Redevelopment Agency. We are here as a co-sponsor and just are here to hear the testimony of the

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BD	people that are here to speak. But we are happy to respond either at the next hearing or in writing to any questions that you have.
BD	Elizabeth, you can just say people are living in developments sponsored by the Redevelopment Agency, where do they take complaints to, is that a known process as well?
EC	We, one of the things we look at is to ensure that buildings that we find do have grievance procedures and often the complaints come to us and we work with HRC and MOD and a lot of the things that have been mentioned to ensure that they are responded to.
BD	So we'd welcome your participation, your agency's participation in trying to establish a central ombudsperson I think would be helpful as well. Thank you so much, Elizabeth. Ed Ilumin from the Human Rights Commission.
Ed Ilumin (IA)	Thank you Honorable Supervisors for allowing me this opportunity. I am Ed Ilumin, I am the Fair Housing and Public Accommodation Compliance Officer for the Human Rights Commission. We have two mandates. Article 33 of San Francisco Municipal Police Code, Subsection 3304, which prohibits housing discrimination among 14 protected classes. The main class there is disability. We also have Article 38 of the Municipal Police Code, prohibiting housing discrimination against persons with HIV/AIDS. Those are the two primary ordinances that we enforce. Article 33 was amended to include source of income and economic discrimination back in 1998 by Supervisor Ammiano and that dealt with people with Section 8, very active in that area. Between 1998 and 2002, the HRC received 1975 complaints of alleged or perceived housing discrimination. Of that number 1575 were investigated. Of that number, 975 were found to have discrimination or willful intent to discriminate. That is spread over 14 protected classes. When you look at that, 30% of those cases had disability issues. When we say disability issues, we are talking about a wide range of things, from source of income and economic discrimination, refusal to accept Section 8 for [UNINTELLIGIBLE], to evictions because of behavioral issues, people with mental health issues, being evicted because their behavior was not tolerable, nuisance evictions. Other kinds of evictions, there was a whole range of them, but primarily the evictions focused around source of income and economic discrimination. We talk about source of income, again, Section 8. People who didn't have Section 8 were faced with economic discrimination. Let me explain that. People who are on disability have limited fixed incomes and when they go to apply for another place, whether it is a residential hotel or even a subsidized unit by a nonprofit housing developer, they look at what's called a credit report. And most low income people, particularly

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on limited fixed income, have crappy credit reports. They have little collections here, little collections there, but credit reports are supposed to be an indication of a person's ability to make rent. And that is an application process that is acceptable and supposedly nondiscriminatory. I submit to you that it has a disparate impact. Most people who are low income on limited fixed incomes would not be able to qualify for these units. So that is something we need to look at and have the nonprofit housing providers pay attention to. The HRC does provide fair housing training to non-housing providers, most recently Pendleton Neighborhood Development Corporation, and we do ask them to look at that, and to be sensitive to that fact. The most recent thing, and I am just going to wrap this up because we can provide more information later on, at your request, but MRSA, have you heard about that? Metacillion Resistance Staphococcus Areaus. It is a staf infection that has no known antibiotic cure. We have had people come into our office complaining that as a result of them contracting this disease, that they are unable to hold their jobs, subsequently they get evicted. And there are cases that I am involved in now, personally, where [UNINTELLIGIBLE] social security administration to accept that this is a medical disability. And we are having problems getting the medical community to respond to make sure that these people you know, are given the proper reports submitted to SSDI so they can qualify for these entitlements because they no longer have jobs. So, this medical alert just was recently put forth by the Department of Public Health, I believe in April, and people are just now becoming aware that this medical condition, which is an emerging disability, is affecting a lot of people. So . . . any questions?

You talked about the complaints that you had. How many are related to projects that the City funds versus private?

EA

You know what, we haven't looked at that in terms of a breakdown, but many of our complaints, I would probably say 70% of the complaints are in the private sector.

Can you put together a list of the, you know, the organizations that we fund, the City?

IA

I can look at that, you know, we did a manual pullout of these complaints because we didn't have a complaint tracking system, you know, a computerized system. We now have that so we can try our best to get that data for you.

That would be great, thank you.

BD

We had a request come in for a break, I would say that, I know Supervisor

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Ma has cancelled a 1 o'clock that she had and I am prepared to go through the value of televised hearings is that they are going to be available to be replayed and also they are available online so my preference would be to proceed with the hearing and to allow people to take a break and come back in as they need to, recognizing that they can see it online or see it Channel 26, so Belinda Lyons and then Charles Searin and Tommy [UNINTELLIGIBLE]

Belinda Lyons
(BL)

Good afternoon. I would like to thank the Supervisors and also the AIDS Legal Referral Panel, the Mayor's Office on Housing, the Mayor's Office on Disability, for having this hearing and the work that you have done on this issue. My name is Belinda Lyons with the Mental Health Association of San Francisco and I am here specifically to talk about housing impediments for people with psychiatric disabilities. People with psychiatric disabilities are put at greater risk of being displaced and facing homelessness due to a combination of a lack of affordable housing, challenges associated with mental illness, stigma associated with mental illness, inadequate access to mental health care, disproportionate levels of poverty and a lack of accommodations provided in seeking and maintaining housing, to mention a few.

You are going to be hearing later in the testimony from members of our consumer housing group who will tell you about their firsthand experience with different housing that they have, and I'd like to just speak about some of the problems specifically for people with psychiatric disabilities and some recommendations.

The issue of training is a huge one. Training of tenants and consumers about their rights. Training of landlords, both private and city funding on their obligations and the rights of tenants in their buildings to reasonable accommodations. And also training of social workers and support staff around the services available and the type of housing available. And the Mayor's Office on Disability as you've heard is taking some leadership on addressing those issues. There is also a lack of centralized, as you've heard, place for people to get information about subsidized housing. Multiple application forms and procedures have the effect of weeding out individuals unable to navigate this complex city. To reduce unequal access we need to design a uniform application procedure as was suggested earlier. We need to create a centralized place for individuals to find out what housing is available. We get calls all the time, where can I go to find what housing is available? And then also funding independent living assistance for individuals to help them not only find housing but also to maintain housing once they receive it. A specific example of an independent living assistance that is sorely lacking and needed is in the cases of individuals who compulsively hoard and clutter. This is a very

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	<p>common problem where people, and related to several mental disabilities, where people compulsively horde and clutter materials and it leads to difficulty accessing their bathrooms, kitchens, it can become very extreme and it's a huge problem here in San Francisco and elsewhere. And folks with this, in this situation, frequently risk their housing and become homeless over it. They need onsite independent living assistance to prevent homelessness related to this mental disability.</p> <p>Lastly, I think, I would just like to say that I think these recommendations and the others you have heard require leadership and collaboration, but also funding. I look forward to working together on implementing them. Thank you.</p>
BD	<p>Charles Searin, Tommy Avicoleemecca, Barbara Blong. Ok, then Tommy and then Barbara Blong from Senior Action Network and Victoria Tedder, Independent Living Resource Center. Welcome to the Committee.</p>
Tommi Avicolti Mecca(TA)	<p>Good morning. I guess it's afternoon by now. I am Tommi Avicolti Mecca and I am with the Housing Rights Committee which is a local tenant's rights, advocacy and counseling service. I am the director of the counseling program and I counsel four days a week. I counsel tenants. 80% of our clients are low income and I just went over yesterday real quickly over our records since January 1st and out of almost 3,000 intakes, 600 were disabled people. So we are seeing about 20% of our clients are disabled.</p> <p>I basically wanted to come here and share some ideas on solutions because I think that it's important, I really appreciated hearing testimony, especially of disabled people here today, but I feel like service providers such as myself need to be talking about solutions, and come to you with solutions. So here are some of my recommendations. Number one, I think it would be really good to take the ADA requirements and actually incorporate them into the rent ordinance so that they are part of San Francisco law. And I am specifically talking about the three instances that we see the most of in terms of ADA violations: number one, care animals. Denial of care/pet animals to disabled people who need them. And this despite the presence of the ADA and so I would say that is something we might be able to build into the rent ordinance. The second thing is the right of the caregiver to live in the apartment with the person who is disabled and who needs a caregiver. That is a very important right that people have under the ADA but which they often have to fight for. The third thing is reasonable accommodations and we have heard a lot about reasonable accommodations and in particular I am thinking about those kinds of alterations to the apartment which are illegal under your lease but which are very necessary for disabled people, such as grab bars on bathtubs. And</p>

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I think we heard a very good idea from the Mayor's Office on Housing here about setting up a fund to actually implement these kinds of changes and I think that's a really good idea.

The second area would be what happens when the person who is being taken care of dies and the caretaker is still living in the apartment? Under current law, that's a very gray area and it would depend on whether that person actually ever paid rent to either the master tenant or to the landlord. But I think, as a City, I think we could address the issue and we could say okay, the landlord needs to give that caregiver 30 days to move out or 60 days or whatever, we could establish some kind of puritive time to allow that person to get their life together. I think this, we especially see this in cases of people with AIDS whose domestic partners move in with them and then the person dies and they suddenly have to move out and that's really a real burden when they are going through a grief process to suddenly have to move out.

Number three, setting up a City fund for security deposits. Because for a lot of disabled people and poor people in general, the difference between homelessness and having some kind of apartment is that security deposit which can be very prohibitive. So if we could, if the City could have a fund, much the same as rental assistance programs, that would be just for security deposits, since rental assistance programs do not fund security deposits.

Fourth, repairs. I have seen the whole nightmare range of repairs. I've seen repair issues in housing for poor people and disabled people. I've seen people who live with rats in their mattresses, I saw it with my own eyes. It's the most horrible, trying sight I have ever seen in my life. These conditions are not unusual in San Francisco and it's a crime that it exists. And so I am thinking that we need to look at the kinds of penalties and the kind of system we have in place for going after landlords that continue to allow these things to happen after they are informed about the process, the problem, I mean. So, I think that's one thing we can do. And another thing along those lines, there is a lot of mold-related illnesses that happen and disabled people and seniors are especially susceptible to mold-related asthma and other respiratory diseases. Why doesn't the City give the funding to the Department of Building Inspection so that they can provide free mold testing for apartments in San Francisco. Currently a tenant has to spend \$1100-\$1200 to get mold testing out of their own money if they suspect that they have a mold-related disease.

BD

Tommi, I understand that the Department of Public Health, Jack Breslin, that there is a mold program that they . . .

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TA	But they do not provide free mold testing as far as I understand it. I don't know of any agency that provides free mold testing.
BD	Can I give you the gentleman's name?
TA	Yes, I will follow upon that, definitely.
BD	I can give it to you now. Jack Breslin . . . 252-3989. Jack, the Deputy Director of the Bureau of Environmental Health and Management and I will call him, also, but I would just like us to have . . .
TA	No, I will call him, because if there is such a service available to tenants, I will definitely want to know it.
BD	If there isn't, there should be one, so I just want to be sure we follow up on that . . .
TA	Sure, and the final thing if I can say, the final thing, we are talking about affordable housing but I'd like to just recommend that you look into the community land trust, the limited equity coops, and there is a proposal that I know Supervisor Gonzales has put before the Board, to establish a community land trust in San Francisco and I think, philosophically I feel that, and I think if you look at how community land trusts have functioned in other cities, they have been a source of permanent affordable housing for people and I think in San Francisco, where there is such a dire need for permanent affordable housing and mechanisms for permanent affordable housing, I think we need to look into solutions like this because where I am coming from, housing is a human right, not a privilege. Thank you very much.
BD	Thank you. I do want to indicate that following this hearing we are going to submit, Supervisor Ma and myself, certain inquiries of different responsible departments such as for the ombudsperson, I think, Mr. Avicolti Mecca listed several excellent suggestions to be explored by the Rent Board and then as it relates to the repair fund and possibility of a revolving fund for people who need security deposits so the Committee will introduce that next week at the Board so that when we come back we will have some responses.
	And, just as an addendum, I think there is also an asbestos program that they do fund also, so you may want to ask Jack Bresnin.
BD	Okay, thank you. Is Barbara Blong here from Senior Action Network? No. Victoria Tedder, Independent Living Resource Center, and then after Victoria, Steve Schubert from the Tenant's Union, Tan Chow, Chinatown

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Victoria Tedder (VT)	<p data-bbox="464 258 1425 331">Community Development Corporation, Kevin Johnson, HIV Planning Counsel.</p> <p data-bbox="464 363 1425 1675">Hi. Victoria has lost her voice and I am going to be reading her statement. I am Victoria Tedder from Independent Living Resource Center, housing advocate for low income persons with disabilities. I contributed to the report on housing problems of people with disabilities that is part of the City's analysis of impediments and would like to direct you to that report. The report contains, among other things, information about discrimination against people with disabilities. I would add to the figures in the report by saying that I believe that most discrimination by private landlords against disabled applicants, that is discrimination during the application process, is never ever reported. There is little overt discrimination against disabled applicants for subsidized housing but often these landlords legally or illegally adopt policies that are unfavorable to the disabled, such as (1) deciding to turn their building into a senior only building and excluding disabled persons under a certain age, or (2) failing to market the building to disability agencies, or (3) adopting application procedures that do not accommodate various disabilities, such as standing in line. There are many things the City cannot do, for example, it cannot single-handedly change federal policies that have cut down on the number of low income people can be helped with federal housing subsidies. But there are some policy recommendations in the analysis of impediments that the City can follow. Some of these are (1) goals for accessible units in City-funded housing, (2) additional City funding for a central source of information on waiting lists for low income housing, (3) changing the inclusionary law to require that landlords of inclusionary units accept Section 8 vouchers. For your information, most inclusionary units are priced far far above what most people with disabilities can afford. Most people with disabilities belong to the extremely low income category which means they make less than 30% of the median income. Actually, many of them make less than 20% of the median income. Inclusionary units are priced for a higher income level, perhaps low or moderate incomes. Most inclusionary units have minimum income requirements as well as maximum income requirements, making them far beyond the reach of, for example, a person getting federal supplemental security income, (4) encouraging nonprofits to make tenancy requirements as inclusive as possible. There are many more recommendations in the report, please read them and do what you can to help the City implement them. Thank you.</p>
BD	Thank you so much. Steve Schubert and then Tan Chow, Kevin Johnson, Ellen Novogrodsky.
Steve Schubert (SS)	Chairman Dufty, Supervisor Ma, thank you very much for holding this hearing and listening to what we have to say. I happen to be a counselor

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with the San Francisco Tenants Union and I can vouch much like my friend Tommi that we get many tenants coming through the TU that are experiencing the kind of problems that you are hearing today. I'd like to offer up some ideas also in ways that things could be improved. Three years ago the Tenants Union undertook a study of Ellis Act evictions that were occurring in the City of San Francisco during the dot.com boom and we found out of those Ellis Act evictions, 25% were impacting our most vulnerable population. Disabled people, critically ill people, elderly people, that disabled people were disproportionately showing up in these Ellis Act evictions. We have also done studies on owner move-in evictions and that we are finding out that about 1/3 of those look to be basically unlawful as far as the conditions lay down. The problem is the City isn't monitoring these evictions. As we have seen from the studies before, disabled people make disproportionately low incomes. They are often times on very tight budgets, very limited incomes, and when disabled people are evicted, housing is much more difficult to replace for them because of their limited resources. An eviction for somebody that has a disability is much more of a negative impact than just a regular working citizen. The problem I would like to see addressed is the fact that the City is not monitoring these evictions. I would like to see some kind of coordinated effort between the Rent Board, the City Attorney's Office and the District Attorney to actually investigate these evictions, to make sure that the landlords are actually abiding by the law, that they are not being for speculative purposes, and that disabled people aren't being put out unlawfully. I would like to see these restrictions, you know, tightened up even more and that's something that I think we could talk to you about on a different level, but I think we need to see investigations done into these evictions. Make sure they are being done lawfully because when a disabled person is evicted, sometimes it's a ticket right out of San Francisco because affordable housing is so hard to come by in this city. And one other thing I would like to see addressed is the fact that right now we have a system where landlords can pass through capital improvements rent increases and owner operating and maintenance passthroughs to tenants in the building when certain kinds of work is done. These increases often times are between 5-15% of a tenant's base rent. For somebody that is low income, disabled, these can be devastating rent increases. There is already a hardship petition up before the Rent Board but that doesn't . . . may I continue . . . but that doesn't necessarily deny the rent increase. It may spread it out a little bit more but the rent increase can still go through and it provides a bunch of hurdles that tenants have to go through to get these petitions. My thought is that it should be just across the board. If a tenant falls into a disabled, critically ill, elderly category, these kinds of rent increases should not be passed through then. It should be automatic that these kinds of rent increases are not passed through because 5-15% to a disabled person on limited income can be devastating. So, I'd like to see

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BD	<p>these types of rent increases blocked, period. Thank you very much for your time and consideration.</p>
BD	<p>Tan Chow, Kevin Johnson, Ellen Novogrodsky and Ted Janowski.</p> <p>Good afternoon supervisors. I am really glad to hear you talk about the possibility of looking into security deposits. I presently work for Catholic Charities as a hop list specialist. And one of the big issues I have dealt with in the last three years since I've been in San Francisco is trying to help clients who have finally, after 7-9 years gotten their name off the waiting list to actually get housing struggle with not being able to get housing because they don't have security deposits. They don't make enough money to save for security deposits so I am really glad to hear about that. But one of my big issues as well as a person who works as a housing specialist, I am also disabled but I work. I have to. I got here in 2000 and the waiting list was closed so there is no way for me to ever get housing subsidized. My T-Cells are 135 at this point and I continue to work to support myself because that's the only way I can live here. What can we do about this waiting list? It isn't moving. There are over 15,000 names on this waiting list at, I think, the last count I heard. And I have been working with the Planning Counsel for three years trying to do something about that or look at it or reevaluate how this waiting list moves. I could probably even possibly qualify for Section 8. That list is also closed and it's been closed for three years. There are people who are disabled who are doing what they can to survive and I just wanted to talk about that and hope you can find some way of looking into moving that list along or opening up other ways of getting people who need housing available to them. Thank you.</p>
BD	<p>Kevin, I want to thank you and obviously there are a lot of suggestions that have come forward and I am going to ask Supervisor Ma to perhaps co-sponsor a request to the legislative analyst that we could do, just asking if there, perhaps, are better practices that other municipalities use because I have certainly known there was a land rush when the Section 8 list was opened I think three or four years ago for the first time and HOP list has been long so I don't know that I have an answer but we will ask the legislative analyst to advise us if maybe there are better practices by other municipalities that don't create such a logjam, so we'll look into that and try to follow up with you on that. Ellen Novogrodsky, Ted Janowski. Oh, so the next speaker is Patricia Lovelock, Melissa Burell and John Dial.</p>
Ellen Novogrodsky (EN)	<p>Hi, my name is Ellen Novogrodsky and I am a housing attorney at AIDS Legal Referral Panel. All my clients are people with AIDS and HIV. Everything I am going to talk about has been brought up but I just want to emphasize the areas that I see are most critical for my clients. My clients</p>

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experience disability in all areas of the housing arena from when they are looking for housing landlords constantly ask illegal questions about their disability and when they answer they are denied housing. My clients who are lucky enough to have housing subsidies have great difficulty finding landlords who will take them. Like many tenants in San Francisco, my clients who are housed within poor and uninhabitable conditions. Problems like mold, inadequate heat, poorly functioning appliances, vermin, bedbugs are very common San Francisco, have serious health consequences for people living with AIDS and HIV. My clients are often afraid to ask for repairs. They are afraid to go to the Rent Board. They are afraid that their landlords will retaliate against them and evict them for asking for these repairs. And for clients actually have HOPO subsidies, they have limited use of the Rent Board so they can't file for petitions. I just wanted to put that out there. Clients call me on a regular basis who are facing resistance from their housing providers. And when I say housing provider, I mean not just private landlords but nonprofit organizations that provide affordable housing as well as hotel owners and operators. They have great difficulty having their service animals and when they do get their service animals in, they often face harassment. My clients have great difficulty having their caregivers come to their homes. They have difficulty having guests and visitors. And the guests and visitors as well as their caregivers are necessary for both their physical and mental well-being. A huge percentage of my caseload is helping clients who have been served with eviction notices for nuisance behavior and the behavior is often due to their disability. When they request a reasonable accommodation as they are entitled to under the law, landlords rarely provide that or if they do it is not without a great fight. For my clients, people living with AIDS and HIV, they have the stress of looking for housing, losing their housing, and living in inadequate housing is incredible. As you are probably aware, stress has been shown to really negatively impact the lives of people with AIDS and HIV. So I encourage you to really look at the report and look at the impediments and the recommendations and work to make housing more accessible and affordable for people with disabilities. Thank you.

BD

Thank you for your work.

Melissa Burell
(MB)

My name is Melissa Burell and I want to thank you for listening to me on the minor child in the eyes of the law and so I really appreciate you listening to me very much, I wanted to put that forward. I am also a resource, you know, I am not just sitting here doing nothing. Affordable housing, is it affordable if it limits my potential, I mean if it prevents me from being productive? I actually have two little presentations here and I want to keep this within three minutes. The reason I brought this up is because they wanted to [UNINTELLGIBLE] writings, I have a lot of . . . You are all executors of the City and execs can become disabled, too, you

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know. One size does not fit all and I have been at the law library and looking at things like the little words and phrases and safe and decent access, freedom from abuse, humiliation, insults. I feel like a social leper banished from society. I had something I wanted to say here specifically. To a disabled exec and aspiring visionary, okay, entry level exec, San Francisco has been to the disabled, it seems like purgatorial prevents productive civic and socially provident integration activities. I don't have a space to work. I'd like to recommend since I have found, a county's responsibility to provide buildings for social service organizations but you make it a little easier for people in affordable housing to have places to do what they need to do. Records management. Can I do that really in an SRO? Workshop space? I don't want to take up a lot of your time. I really want to thank you for . . . looking for solutions like an ombudsmen and your inviting people to email you and I would like your email address.

BD

Ms. Burell, thank you so much for coming and testifying. Thank you.

Patricia Lovelock
(PL)

My name is Patricia Lovelock and I have a disability and I want to explain the situation that happened to me. I was living in an apartment complex that had been given money through the Mayor's Office of Housing and was in one of the, what do they call them, the units, the low market housing, I am sorry. And when I came in they were very happy to have me and they said I had the most perfect credit rating. Some of us have good credit rating. And I lived there for approximately 3 1/2 years. Then as my situation got worse and my savings got depleted I then became on SSI and received a Section 8 voucher. It was my understanding that I would be able to lease in place and they had told people, I guess since 1985 when they first received the money from the Mayor's Office, that they would not accept Section 8 and they would not even consider it. And given that I had lived there for 3 1/2 years, paid my rent on time and done whatever they needed to have me do, I didn't understand what the problem was. As far as the issue about having a unit that is a set-aside unit, that unit I was paying something like \$1200 a month for. When my income became, when my savings became depleted, with the Section 8 voucher I would only have to pay \$200 so it is an extreme difference and they would never allow to even think about having someone with a voucher to live in a regular unit with a Section 8. I can make a comment about that with another building later. When I attempted to give them the Section 8 unit voucher they said that they would not take it because they would not do that to the owners of the unit. I contacted the Human Rights Commission and requested assistance with this because they also started bringing up like that there were complaints against me but they wouldn't tell me what the complaints were and I'd lived there 3 1/2 years with apparently no complaints but they started coming up when I started talking voucher. The Human Rights Commission was not helpful at all. Because I have difficulty with

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- handwriting, they refused to accommodate me by allowing me to dictate my complaint. It got just kind of spread from person to person. Finally someone said they would look into it. They did what they call “unofficial investigation” which I don’t know that there is any such thing in their regulations. And that went absolutely no where. I was told that I should be happy because some friends of mine who had had a discrimination complaint for children had received some money and I was actually told the amount of the confidential settlement and that was supposed to make me happy. I know that when there are, when I went with a friend to another place, she was told that because she had the Section 8 voucher she could only apply for their set aside units. Even though her voucher would have covered the cost of a regular unit, they refused to even allow her to apply.
- BD So, I want to invite Ms. Colamello from the Redevelopment Agency. Elizabeth, and, so Ms. Lovelock, why don’t you hang out with us here, just stay up front for a second, because I, I just want to . . . So the below market rate program, that’s primarily, those are developments that are in and around redevelopment areas, am I correct, like Rincon and places like that?
- EC Some of them are and I believe that the Mayor’s Office of Housing also has them as well.
- BD Ok, so do, can either or both of you comment on this issue of acceptance of Section 8 certificates because it would seem to me that a building having a below market rate means that they had to come to the City for something. We gave them some benefit in order to build it so I am just intrigued as to why we wouldn’t as a matter of practice require that they not discriminate in the acceptance of Section 8 certificates.
- EC Yeah, I am actually baffled by the situation. I am interested to know what building that was because . . . 2000 Post? [BACKGROUND CHATTER] Yeah, because if a building has received funding from the Mayor’s Office of Housing, my understanding is that they are obligated to accept Section 8s . . . right . . . yeah . . . so I would be interested to, this is the first time I have heard about that happening in one of our buildings, so I would definitely want to . . . and what did our office say?
- BD So, we’re going to let you follow up and then ask that you respond to us and then, I think we are interested, we are going to submit a request that we have an understanding about below market rate units that they should all, and I am intrigued now, I mean, Fiona and I are basically planning commissioners, I mean, it’s so crazy at the Board, and, to Ms. Berell who testified about being a new executive, we are truly new, even though we have been here 11 months, but I am intrigued as to any development that

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EC	<p>would come before us needing accommodations for many of the major projects that are being proposed South of Market that I would not be inclined to support someone who didn't accept Section 8 certificates, so, it helps for watching.</p> <p>Let me make one comment, because you are looking at my image on the . . . if that is a building, if these are units that are below market rate because of the inclusionary ordinance, that does fall through the cracks which is in a way that we have some of us talked about before you today, which is that the owners of inclusionary units are not obligated to enter into a Section 8 contract and that was one of the recommendations that came out of the analysis of impediments that we need to explore. Is there a way to require the landlords of inclusionary units to accept Section 8s. Because those don't involve public funds. If this was a building that had actually public subsidy, they need to accept Section 8s. If it is an inclusionary unit, they are not currently obligated.</p>
BD	<p>And so I have submitted a request to the Deputy City Attorney, Cheryl Addams, who is here, from Supervisor Ma and myself on, okay, so I would be grateful, and I want to be sure you get to follow up with them. Yes?</p> <p>I had also asked them about accommodations because I have problems with my upper limbs and simple things such as a hallway door handle to get into my apartment they refused to accommodate it because they stated that everything needed to look the same. And then every time you ask for an accommodation you get a black mark against you. I mean, you are just a troublemaker, you know. And, as I said, the problem was that they were able to generate from whomever or whatever complaints or something about me, even though I had tons of notes from them saying what a good tenant I'd been and how helpful I'd been, so . . . I guess it was just extremely frustrating and when you only have that 30 days then to get out, it's hard to stand and fight. You know, I was lucky to find some very good housing. Thank you.</p>
BD	<p>I am glad for that. Thank you. Mr. Will Nelson, why don't you come forward.</p>
Will Nelson (WN)	<p>My name is Will Nelson, I might be [UNINTELLIGIBLE]. [THIS IS IMPOSSIBLE TO UNDERSTAND. I COULD ONLY GET ABOUT 1 WORD AMONG 5 AND IT MADE NO SENSE SO SOMEONE WHO KNOWS WHAT IS BEING SAID WILL NEED TO TYPE THIS SECTION].</p>
BD	<p>Ok, Mr. Nelson, one question sir before you leave me. Are you trying to get a board and care? Are you trying to find a new board and care to live</p>

Name	Comments
WN	in? UNINTELLIGIBLE ANSWER. SEE ABOVE.
BD	Well, I was at SF General yesterday and I met somebody who might be a good person for you to talk to and so if you can stay for a few more minutes, I am going to have my staff come get a phone number for you, okay? So if you don't mind, I know you've been patient, if you can just hang out for a few minutes I want to get somebody possibly for you to talk to. John Dial, Cecile Arbor, Mark Adamik, Scott Clark. And Mark Adamik was next after that? Ok, thank you.
Cecile Arbor (CA)	Hi, good afternoon. I'll just try to keep it short and sweet. I want to speak specifically to tenant petition C030488. Right now I am currently trying to get an extension of an open record that relates to San Francisco Administrative Code 1941.4 that requires that landlords provide tenants with at least one working jack in a rental unit. I was advised at a hearing that I was at on the 14th of October to follow up regarding the phone jack that did not work and I am just trying follow up on that again to say that there is still no dial tone and I was just trying to follow up on housing impediments happen because of this very specific situation. During the hearing on the 14th, the attorney and also the people at that time when the judge and the advocate left, they made promises that turned out to be fraudulent. The promise was that they were going to fix the jack and that there would be a working jack and I followed up as I was advised by the different agencies that I contacted, the Central City SRO Collaborative, I followed up and I also sent them a letter on October 1st in regard to the phone jack not working and I also cited the San Francisco Administrative Code and I also indicated that the promise to perform didn't happen and they were very concerned when I indicated that it was fraudulent. If someone promises to perform something and then they don't do it, that, under my understanding if you look it up in Webster's, indicates that it is fraudulent or they don't do what they say they are going to do. And that's consistently happened to me since April when I first came to the Rent Board in regard to getting repairs accomplished and getting repairs done. I am a tenant in good standing and I do have disabilities but the disabilities don't mean that I don't have a voice. They don't mean that I am not entitled to a safe environment free from mold and mildew. A lot of issues have been addressed with the support of the health inspector, the building inspector, the fair housing compliance officer, the housing counselor and some of the other people that have already spoke earlier today. I guess I am here today just to have a voice because it was requested to have people who have had concerns with reasonable accommodations. I am one of those people. I am a survivor and I have a voice today.

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BD	Ms. Arbor, I appreciate you being here and I have requested that our City Attorney come back to be able to talk to you, you cited some specific codes and you said some things were, ordinances were promised to you and I am asking that she or a colleague come back so if you can stay for a few minutes, someone will come to you if that's helpful at all.
CA	Thanks for your time. I just appreciate an opportunity. I don't have a Black's Law Dictionary here, I don't have a medical dictionary, I don't know all the different languages that are needed. I am a voice of, I am just one voice, I mean <i>E. Pluribus Unum</i> , you know, I am just one voice of many but there is also a senior citizen in the same building that I am worried and concerned about that may be illegally displaced. I am not an official tenant advocate and I get in trouble from the property manager when I try to distribute information like this type of information about people to come here who may have hearing difficulties or who might be hard of hearing or those kinds of concerns. They might not be here but there are other people that are also dealing with concerns of illegal displacement just by trying to have a voice and they are too afraid so I hope that their voice gets heard, too. I mean, I am not a senior citizen, but I'd like to hope that that senior citizen gets the advocacy that she needs as well. Thanks for your time.
BD	Thank you. Mark Adamik? Good to see you. Hello Mark.
Mark Adamek (MA)	My name is Mark Adamek. I am the Board President of San Francisco Network of Mental Health. I and my wife, Julia, [UNINTELLIGIBLE] S.F. Disaster Card down at 245 Market. Our [UNINTELLIGIBLE] Spirit Managed Community Center. We provide free assistance to San Francisco's low income and [UNINTELLIGIBLE] disabilities.
BD	Having a little difficulties . . .
MA	<p>Testing, can you hear me? Ok. Should I start over again? Okay, I'll take it up again. My name is Mark Adamek. My wife Julia and I are co-executive directors of Spiritmenders Community Center which provides free assistance for San Francisco low income and homeless with psychiatric disabilities and Spiritmenders has done this since 1986. I really wish my wife could be here but she is attending for our organization at the SF CARD Disaster Food Conference at 245 Market so I am here. I would like to read a statement that she, she has a lot more to say than me, but what can I tell you. If I may? This is from my wife Julia.</p> <p>“As a disabled person, even though there is not supposed to be income source discrimination, I am confounded that I can still be turned down for a housing unit because my income is not two or three times the rent. There</p>

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should be limits made for how much rental deposit building owners should charge. Once they understand a renter will receive a deposit from public funding, they will charge as much as possible. This will save the public some money.” You see, my wife is referring to the fact we got married on Valentine’s Day and we just recently found a place out in the Sunset. But what happened is she had a very hard time finding a place to start with. Part of it was her rental, her lack of, well, Section 8 was one thing, another fact was having enough money, another thing was the place she lived in, as far as she could tell, had black mold, these are a few things which she experienced which she had to deal with. Fortunately we were able to find a place which is a dream home but we are very fortunate. There are thousands of folks out there. All I can say is she went through hell because she and I are both physically and mentally disabled. Me, I was fortunate in that I was living here [UNINTELLIGIBLE]. But the point is, she was not so fortunate. The point is, she went through physical and mental hell before she was able to move. And all I can say is for her and so many other people I would really encourage the Board of Supervisors to look into this matter. As for myself, what can I tell you? I live in Project Based building of the San Francisco Housing Authority from 1987 and I was lucky, I had one of the better places. I recently moved from there into a new house with my wife, so we are fortunate. But there are so many that aren’t. As for my own direct experience, well, I lived, like I said 491 31st Avenue, I mean, that’s at Geary and 31st Avenue and I was told it was supposed to be one of the best buildings in the system so, again, I was fortunate. But the fact is so many people aren’t. I do know, speaking about my experience with San Francisco, in the early years when I had trouble and I didn’t know what else to do, I’d call my elected representatives and sometimes I got pretty good results. But a lot of what I learned in self-advocacy was on my own, you know? But what I, I would like to say is I think there needs to be more training for mental health consumers as those are people with disabilities in learning how to speak up for themselves. One thing I would like to bring to your attention is an excellent project called MH101 Project which helps to train people with, mental health consumers about tenants, about how to, what to do about them, there are MHAs, tenant training, they have that every year, and I went through part of it in 2000. I didn’t go all the way through because I was a housing authority recipient we were represented by the City-wide counsel of the San Francisco Housing Tenants. But I think I am wandering a little far afield. All I can say is there is an awful lot of impediments out there and I am talking at this meeting I had no idea there was so many and all I would like to simply say is what you already know. Please please do something about it because people are suffering out there even while we are talking and every day. So . . .

BD

Thank you Mark for coming. Good seeing you again. Take care. Scott

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Alonzo Carmichael (AC)	<p>Clark? Is Scott Clark here? Alan Stupley? Alonzo Carmichael? Ted Janowski was not here? Ted is not here? Ok. And then Marco Ibarra after that? And then Delphine Brody. Welcome Mr. Carmichael.</p> <p>Good afternoon. My name is Alonzo Carmichael and I am a tenant advocate for the Mental Health Association here in San Francisco. I agree with what you said, bricks and mortars are very expensive and so are some of these salaries that are given out to pay, you know, to do some of these studies. They are very expensive also. I think that money could be directed somewhere else. No sarcasm meant, but some of the personal bags I've experienced, having a psychiatric disability and all, having a physical disability, the first barrier that needs to be ignored is the stigma that is placed on people, you know the one between if I have a physical disability I am not looked at too bad but if I have a mental health disability, it sure quote unquote he's crazy. I think that's one of the things that the public needs to be educated. It is very hard for me to access public housing because my benefits can't meet the rent, you know. I get less benefits than what the rent is here in San Francisco. I have been in the Shelter Plus care housing, supportive housing for six years now. I have been at the Lyric since it opened in 1997 and the first period I was offered housing in told me, I was 45 at the time I am 51 now, that I couldn't have overnight guests. So I turned the housing down. I went back to the shelter until Lyric opened up. And at the Lyric I get 14 overnights a month. And some discrimination I feel in housing is that there are limited amount of various Section 8 certificates for veterans and I am a combat vet. And we don't get very, there's not many allotted to us for Section 8 housing. Another thing I feel discriminated against is, I have been in my housing for six years and I am one of the original 58 residents. There's about six of us now. A few have died and some moved on but mostly evicted and most of those evictions are behind behavior problems as opposed to nonpayment of rent. That's what [UNINTELLIGIBLE] me to be educated a little bit more, I think, you know, to provide services to people although services are optional, they are not mandatory where I live at but they are offered though and some people don't take the services. And another discrimination I feel is that I am not allowed to have a pet in my housing and the reason I can't have a pet is that it has to be a companion pet and I have to get a note from a doctor, a statement saying I can have a pet, you know. We had a person about three weeks ago in our building that had a companion pet and another person I know has disability, took the pet in and threw it out of a window, five stories out. Things like that happen in our building, you know. That's just life. I could have moved, I stayed in the Tenderloin, I could have moved out of the Tenderloin, you know, last year, to South Park. But if I had moved to South Park I would have gave up my personal bath for a hall bath and a hall shower and also would have been a smaller room and then I would have to sell plants that I've grown for five years and</p>

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I love them and I raise a lot of plants, I grow a lot of plants. I feel that making concessions simply because, you know, I have a mental health diagnosis is not, you know, that's not part of what I want to do and these concessions, these labels are being put on me. I'll finish up now. The reason I come, this is what I ask for today, today a reasonable accommodation for me would be affordable housing where I could live independently without a desk clerk, without 14 overnights per month but 30 or 31, and a key to a security gate and an intercom system where I can buzz you in as opposed to leaving the sixth floor of my building, coming downstairs to escort you up and escort you back down when you terminate your visit. I didn't have this disability. I have a disability PTSD, major depression and I have just incurred another physical disability because I had to have a disk removed, bone taken out of my hip, put into my disk and my neck and I am hopping around on a cane. But I didn't have this disability because I went to Southeast Asia, Viet Nam, you know. Nobody asked me if I wanted to go to Viet Nam, they just told me I had to go, this is the result, you know, what's going on with me. I have to accept a lot of things today and I have a college degree in social work. You know, the thing is if I didn't know how to get my needs met, I would be like a lot of other people on the street out here and that's why I enjoy working as a tenant advocate with the Mental House Association, helping other people. And thank you for listening to me today.

BD

Thank you. Mr. Carmichael, before you sit down, Mr. Barr come up, I want to get your phone number if I can and then I have number to give you.

Marco Ibarra (MI)

Hi. My name is Marco Ibarra and I am here to talk about some issues that is happening in my apartment. I have been disabled for over three years as a result of an accident and AIDS. When I was well, I used to clean the apartment and the building for free but then my landlord sent me a letter saying that he was in receipt from me being sick, for me not cleaning the apartment anymore in the building. Which was done for free. That is where my problem started. Then after that he hired this management office called Davis Paul Management and they were charged to make my life impossible. Telling me that they were going to beat me, they were going to take me out and they would not allow to live anybody with me because at that time I was very very ill. I have been trying to get my daughter to live with me and I am not allowed to get her into my apartment for some reason. I don't know why. Then there are a lot of problems that I have to call the City inspectors to fix the problems in my unit. They haven't done anything until they got there. They damaged my furniture and the landlord will not pay for that, he said they are not responsible for damage to stuff. This is some of the pictures that my landlord will not fix.

BD

It might be helpful to describe what that is. I am not sure what that is.

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MI	<p>This is a fan where it takes the . . . and this one over here is water leaking and they will not fix that either so I don't know why. It's just a lot of problems that I have and I don't know what to do. I mean, I even tried to tell people and they help me but every time that I go with them, they don't do anything, I mean, it's just . . . one thing that I called yesterday and I asked them to reimburse me for my deposit for over two years and they told me that I only can get 1% from that deposit because the law changed. I was not aware of that. So they gave 5% of my deposit and I get 1% a year. I was never told by anyone that supposed to done that, so why is the reason that a lot of people like me, has been threatened with eviction notices. We cannot have any visitors in our apartments. We cannot do a lot of things because they want us to be out so they can get more money for rent.</p> <p>Are you living in a public . . .</p>
MI	No, I live in a private building.
BD	<p>Mr. Ibarra, what would also help is the City has a Code Enforcement Taskforce and they meet every month and it's not just building inspection but it's the police and the Planning Department, and they all come together and what I'd like to get is your phone number because I am going to ask that at the next meeting they take up your building and do an inspection and follow up with you and our Committee and let us know that they have looked at these things so if you could just come over and give me your phone number on this card, then we will follow up and you will hear. It's called, the City Attorney runs it, Code Enforcement Taskforce, and it's all the City departments that are involved in enforcement. Thank you so much. We will follow up. Delphine Brody? And then Andrea Brookes, Kay Griffin, Robin Crop. Good morning, good afternoon.</p>
Delphine Brody (DB)	<p>Good afternoon Supervisors. My name is Delphine Brody and I am a member of the Consumer Housing Group and I am also the coordinator and trainer for the Mental Health 101 Project which was mentioned earlier by Mark Adamek. I would be happy to pass on this brochure, I am sorry, I only have one copy. Maybe the two of you can share.</p>
BD	We can share, we like each other.
DB	<p>I am a mental health consumer and I was homeless for two years. Prior to moving to the Seneca Hotel where I have lived for the last 5 1/2 years. I could go on and on about all of the egregious discrimination that has happened to so many friends of mine but I am going to talk from personal experience today. I have two specific cases of discrimination. One of them is probably impossible for me to prove but it's a long-term problem</p>

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and it's a systemic problem so I am going to start there.

In my subsequent search for long-term, affordable housing, since I moved into the Seneca 5 1/2 years ago, I have been looking for this type of housing with access to basic amenities, such as a kitchen, a bathroom and, you know, living space as opposed to the tiny little hotel room that I am in now. The high rents and my own poverty level income primarily from SSI and Social Security disability benefits limited my options to the handful of rooms for rent to share with housemates in rent controlled apartments for \$600 or less per month. In my telephone interviews and face to face interviews with perspective housemates, the issue of my source of income was invariably raised. Each time I would answer honestly that most of my income comes from the disability benefits. This then prompted the master tenant to question me as to the nature of my disability. This question is illegal under the Americans With Disabilities Act. Nevertheless, with so few options in my housing search, I often tried to salvage my chances by answering either by saying that this question is illegal under the ADA which tended to lead to hostility and predictably a failure to call me back or when I told them that I had a mental health disability they either frowned or looked at me quizzically and continued to probe. Well, so what kind of mental disorder do you have anyway? Needless to say, they didn't call me back either. Meanwhile, I have been living at the Seneca which is now City-funded, supportive housing under the Master Lease Program for the past, and for the past 14 months City Housing, Inc., the property managers, have repeatedly turned away my girlfriend who is also disabled and currently homeless. Their rational for doing so was first that she did not have a California I.D. She showed a current, valid out of state I.D., and later for having a service dog with a California Assistance Dog tag for whom we applied for a reasonable accommodation so that she could visit. Multiple barriers and accusations have been leveled at us since then and in the face of an ongoing investigation by the Mayor's Office on Disability and in clear violation of state and federal law, City Housing, Inc. continues to ban the dog from the premises. When my girlfriend and I want to sleep together, we just sleep outside in the park, an abandoned building, a construction site, occasionally a friend's roof. This has been going on for well over a year now and it's taken a heavy toll on our physical and mental health. Both of us have been sick for weeks and the winter rains are rapidly approaching. This discrimination needs to be stopped now. Thank you.

BD

I have Andrea Brooks? Great. And then I just want to see, is Kay Griffin still here? Great. Robin Crob? And then Mark Solomon and then after than I don't think I have cards. Thank you.

Andrea Brooks

Good afternoon and thank you for listening to everyone who has been

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(AB)	<p>coming up to share today. My name is Andrea Brooks and I work for PAWS, pets are wonderful support. PAWS works to help people who have disabling HIV and AIDS and other disabling illnesses keep their companion and service animals by offering a variety of different supportive services which is providing pet food, different dog walking services, etc., subsidized veterinary care, and we are newly able to provide advocacy and legal assistance to our clients when they are faced with housing discrimination or landlord harassment due to the fact that they have a service animal. We also provide the service to other community members that come to us if they are not already a client. And I just wanted to come today and give a voice to some of our clients that our homebound and weren't able to make it here today. All of our clients are disabled. All are low income and all are residents of San Francisco. For our clients, many of whom are homebound or have limited mobility, their service animals are often their main source of emotional support. While support service access can wax and wane, the service animal is there for our clients 24 hours, 7 days a week. I wanted to share a recent case of a client who has AIDS and he was a tenant in his building for about 13 years when he started to receive letters from the landlord that it was a no pet building, receiving legal notices that he needed to cure or quit and leave and get rid of his service animal or else he was going to be thrown out onto the street. Luckily we were able to work this problem out very quickly but I just want to point out again this is a homebound client, he spends all day every day with his service animal and due to the stress of the letters and he has a very bad case of AIDS, he developed shingles, he had to go to the doctor, pay for the doctors' bill, get medication, pay for that, and he was terrified of losing both his companion animal and his housing. He felt he would be homeless and was really living in fear and that really took a horrible toll on his health, so it's really, he had to suffer both financial and health strains due to the fact that his fair housing rights were being violated. So these are just the issues that we deal with. We deal with a lot of harassments of tenants having a service animal. They get threatening statements to scare them. Also by demanding that a pet deposit should be put down when in fact a service animal is not a pet and it is illegal to pay a pet deposit in any sort of building or ongoing pet payments during the month. We get a lot of complaints about landlords are not only asking for new pet deposits when they do some sort of changes but that a monthly pet deposit, let's say of \$25 to \$50 should be paid and as we have all been talking about, the limited income, imagine having to pay another \$25-\$50 just to maintain your animal in your house. It's pretty impossible for a lot of our clients. So, I just wanted, again, to thank you guys for having this hearing today and that PAWS would look forward to further working with the City on developing some of these issues.</p>
BD	<p>Before you step away, it would seem to me that one advisable thing would</p>

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	be if you had a joint hearing of the Rent Board and the Animal Care and Control Commission. It seems that those two bodies coming together would kind of represent a rent ordinance and then sensitivity to service animals and the rights of people to have pets. Is that something you would be open to?
AB	Yeah. I work closely with Animal Care and Control so now they will refer cases to me when people go to complain to them or the SPCA, if they get complaints, they will refer them to PAWS. So we just want to kind of continue working with other groups on educating on the specific issues of service animals, working with landlord groups, private and public, other housing officials.
BD	It would just seem that the Rent Board does, it has a diverse background, people from property owners to renters that are on there, it's required to have a split, and so maybe I will make a request and if you have a card that you can leave here with us and then I also just want to thank PAWS, I'll put in my plug for Halloween, it's tomorrow night and PAWS is one of the community agencies that is providing volunteers at the security gates so people don't bring hockey sticks, swords, knives, or a chainsaw, which we had last year in the Castro, so I appreciate your very dedicated volunteers helping us to make Halloween safe and I hope we raise lots of money which is why people are being asked to give \$3 to support a great group like PAWS and I also have to give a commercial for Carl Friedman from Animal Care and Control who does a wonderful job and I did provide his name to someone who needed a certificate to get a companion animal and I think Carl and his team, throughout, are just an incredible group of people who do a wonderful job for the City. Thank you so much. I have kind of lost my place here. So, Mark Solomon . . . oh, you were next, I am sorry.
Kay Griffin (KG)	Hi, my name is Kay Griffin. I hope I may be able to squeeze a couple of minutes extra. I am the one that asked for the break and I was told that I should watch it on cable tv which I can't afford . . . but it slows down my processing a lot to do this long of a day with this amount of dents, material I am trying to listen to. I am a person with the wrong disabilities. I am both a head injuries survivor as the result of being assaulted on the street and I am severely chemically sensitive as a result of having survived some 15 years of homelessness or living in really low income buildings that use so many pesticides that it almost killed me. So, I am very sensitive to, like when people, I heard a lot of people here equating being in a wheelchair with access. Well, the wheelchair is not the only access question. Things like people saying, well, the older buildings are not accessible but the newer ones are. I actually just recently had the opportunity to tour the new low income building at 8th and Howard and it was so toxic that I got stoned, both in the lobby and in the apartment, so I would really like to see

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non-toxic building materials go in as, because it's becoming very common, so we are building low income housing that are too poisoned to live in. The pesticide thing also in a city that has an ordinance for the parks to not use pesticides. We're doing it mandatorally in most of the low income buildings and at my sensitivity level is that it would kill me. It also is being used in a lot of the buildings where I am supposed to go for services which is another lack of access to services. But I have been doing this for a long time, both as a person looking for housing and as an organizer, which when we are chronically looking for housing we have to be organizers and it would make great standup comedy if were not funny. I can go down the list and I will name names. Mission Housing. I have been disappeared off of two of their housing lists and there is nobody to talk to and nobody will deal with it. I have had a building that allegedly had openings refuse to give me an application which I probably couldn't have found anybody to help me fill out anyway. The one that was really insane, I had one manager literally put his body in front of the paper on the wall that gave the income, what my income things had to be to be eligible for the housing, he literally covered it with his body. This is the manager of the building that allegedly had an opening, Mission Housing. I have been through, and I can't remember if it was Progress, it wasn't Connard, there's three of them where you are supposed to go if there are emotional issues which after all of this, that was after I lost my housing in the earthquake, that I was permanently 86ed for being uncooperative because I couldn't run fast enough, the program, some of these supportive programs were very often mandating require that you be young and healthy and you be able to run around in circles and basically I was thrown out because I couldn't run around in circles. I just couldn't run that fast. They said they were not accessible to anybody with physical disabilities or seniors. I have been to the Human Rights Commission who I believe it was actually Mr. Lee himself, this was some years back, that I reported what was going on in a building that I was living in of which was a building for disability, he says but it can't be discrimination because they let disabled people in, so that would be the equivalent of saying there is no elder abuse in a rest home, in a nursing home, and that's what they said to me so they would not touch it. It goes on and on. In all of this, the lack of respect. I have to sign up for lists where they absolutely refuse to let me know enough to even know if I want to be on the list. You can't see the units, you can't see the house rules, you can't find out if they pesticide, anything like that. You have to sit on the list for 5, 6, 7, 10 years, if you don't get thrown off. And then, in a very short time, have to decide if you want it. But there is not the relevant information. A lot of us would quit getting on some of these lists. If there have been a pesticide building, I can't live there, a number of things. But they won't, they refuse to provide any of that material ahead of time. Again, this whole thing of having no, not only do we not have a central place to go, there is no place to get help. So all of this stuff I am

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- soloing. As I say, wrong disease. There is not a disabled legal referral panel and. Amazingly, by being thrown out of town with the high rent in the dotcoms, I managed to get a Section 8 from another county, which I just recently used to move back to San Francisco, which has been my home since the sixties. So now I am dealing with that. And there is an absolute war in terms of accommodation. When I found a place we all decided I had achieved the impossible. It's not over, they refuse to tell me how they figured out my figures and did not include my medical figures which they are supposed to when there is a disability issue. It was fighting tooth and nail and they won't call back and you have to go back and wait in lines, wait in lines, so it's constantly being more than I can do, so I hope that I can continue to deal with it. I am having a problem with my, there is a new rug and it's toxic and I don't know what to do. In this case, the landlord is being very reasonable but I just don't even know how to deal with Section 8 without just being attacked, to just . . . on any of this stuff, it's just, it's just nonstop. So, it goes on and on and on.
- BD Ms. Brooks, when you said about dealing with Section 8, you are saying going to the Section 8 office and asking them . . .
- KG And then finding out who my worker is now. I mean, it was so crazy down to the last minute when I was supposed to go and sign on the unit. She didn't call me. I found out sideways from the landlord. I showed up and it was just like insane. This whole, the bureaucracy and the level, it's just . . .
- BD But you do know your worker now? You have a Section 8 . . .
- KG No, I don't. I don't know who my worker is.
- BD All right, then before you leave if you'd give me your phone number. I will find that person out.
- KG I have nobody who I can go to to help me through this. It's just, it's just trying to deal with extremely threatening things while I am having health problems because of the toxicity. Soloing, and it's, what very often happens in my life is I just run out of time and energy. So, yeah, I appreciate . . . I am glad we are having these hearings and I am glad, I have heard some very reasonable suggestions. And I would be happy to also come in and talk because I have tremendous amount of experience around housing organizing and including, I mean, some of the [UNINTELLIGIBLE] we organized the Ambassador Hotel and we had a housing rights committee, a legal case, and they specifically excluded the woman who was being raped by management and the fact is for women the most common way of losing housing is through violence and it's not what is, the only stuff that's dealt with is domestic violence, it's partners they are

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BD	ignoring, the landlord, the security guard, neighbors. So it's just on and on. So anyway, that's probably.
Mark Solomon (MS)	<p data-bbox="467 369 1425 510">Thank you, if you could give us your number, we will follow up, and I want to let the last speaker card testify and that's Mark Solomon. Does anybody else wish to be heard, is there anybody? Ok, so if you could just come behind Mr. Solomon. I'm sorry if I missed your card.</p> <p data-bbox="467 548 1425 1890">Good afternoon Chair Dufty, Supervisor Ma. My name is Mark Solomon, I was honored to serve on the Community Land Trust Task Force a few years ago under Supervisor Gonzalez and am a reluctant housing activist. I was sitting at home, minding my own business, having lunch, watching television and saw Supervisor Dufty make a comment on Section 8 and affordable housing and I guess I am going to be crazy here but I came down and testified about that. The Land Trust Task Force studied this issue and it's crucial that we all note that Section 8 represents about \$96 million per year in affordable housing funds. Some of it is project based, some is individual based. But that is the equivalent of a 1996 Proposition A interest free from the federal government every single year. And it really is irresponsible for us to be spending that money on private landlords who will put rents up to the highest amount the market will bear and then, you know, the person will only pay 30%. The second of that is going into occlusionary affordable where you are taking that money and again privatizing it to private landlords, albeit at a smaller rate. So you are taking 30% of the income, you know, paying for that difference is an okay deal. We look at taking that money and actually capturing it permanently, perhaps in affordable housing units, by nonprofit developers, perhaps at the Redevelopment Agency as well. But as Mr. Avicolti Mecca mentioned, in community-based land trusts are the way to really capture that money as a permanent investment in our affordable housing future so that the situations most of these folks here are facing will be less and less likely as we expand the pool of permanently affordable housing. We also need to look at the governing structures of these affordable housing entities. If you are looking at inclusionary, that is pretty much being run by a private property management association that has to actually follow rent control laws and tenant protections. If you look at the nonprofit developers, they are largely exempt from that and there is no guaranty that any monies they get will actually stay in the affordable housing world. They are nonprofits. They are not bound by any kind of community rooting that says you must spend your money permanently in this community. They could spend it anywhere else. Mission Housing, as Ms. Griffin mentioned, spends almost a good chunk of their time doing political work in the Mission steamrolling all other comers. Nobody else in the neighborhood is that organized yet Mission Housing is out there on every election pushing it up to the very line on what they are going to do, yet the Altamont Hotel at 63rd and Julian</p>

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	<p>has bedbugs in it. The price to fix up the Altamont was the price of building a new Nob Hill, you know, per unit, was a new Nob Hill condo. So we are looking at a very inefficient use of money here and all three of us are homeowners and we get our wonderful letter from Mabel Tang every six months asking for money. We want to be sure that other folks who, you know, who can't afford to pay those taxes, are not seeing money spent away on bad investments with affordable housing money so if the voters are not going to approve bonds, we have to repurpose Section 8 in a way that conserves as much as possible of our federal and affordable housing monies to permanent affordability so these problems folks are talking about will become less and less. Thank you.</p> <p>I have a question. You said you were part of a community land trust task force?</p>
MS	<p>Yeah, before you arrived on the Board, Supervisor, President Gonzales convened a land trust task force and the charge was to study how other communities have done community land trusts and the basic notion is that you can either split the land value from the improvement value and write that down through public investment or there is another way to do limited equity-style conversions, where we would take the existing rent streams of rent-controlled apartments, turn them into permanently affordable limited equity condominiums or co-ops to folks who didn't want to make a capital commitment, so people could actually get some kind of an equity accumulation through their rental payments instead of the rathole of rent or the speculative stock market of onmarket purchase. There is a way to take those monies and have a market savings account so you might make 5-10% over time.</p> <p>So what happened, did you make any recommendations?</p>
MS	<p>We came close to the end of it, we were under a time restraint, but we came with some preliminary recommendations but the clock ran out. So, we have a body of knowledge, Supervisors, working on preparing some legislation and we should be seeing something at some point in the future.</p>
BD	<p>There is one gentleman left to testify. Does anyone else wish to be heard on this item?</p>
Alex McDonald (AM)	<p>Hi. My name is Alex McDonald and I am an intern with Planning for Elders in the central City. I am also disabled. Let's talk S.R.O. Hotels. Did you know that some of the hotels in the City charge 30% for people on incomes of say SSI, GA, or Social Security? Others charge 50% and some of the ones that charge 50% come under the Department of Human Service and the Department of Health. Example, the Linane. I live there. They</p>

Name**Comments**

charge 50%. I live on SSI. What's fair in that? Nobody knows. That needs to be looked into. I don't understand it. They waste money on redoing, my lobby has been done three times. The building was redone three years ago. I will have lived in the building this November 3 years. So about four months ago they replaced my light fixture which was only three years old. Why they put a new one is beyond me. A waste of money. Another building is the Cadillac Hotel. They do not allow people there to get the rebate, the renter's rebate, or the heat rebate. The reason being, I guess, is there is some deal with City, county and state. That needs to be looked into. And it's also an S.R.O. Hotel. They say they don't pay taxes. Well, Mr. Looper owns that building, and the building is leased from him, so he has to pay taxes. Somebody along the line pays taxes. Couregous Management manages the building. They pay taxes. And they are under Mission Health, which is under the Housing Authority, and it goes on and on. So, that's just some of the things. I mean, it's S.R.O. Hotels that I really think, I think they should be looked into. I just cannot understand why 30% and 50%. You know, it's not fair. There are lists that show that some of the hotels in the City, I didn't bring it with me, that have 30. I will send them to you. I don't know all the ones that charge 50 but I do know, the Windsor is another one, they are both under John Stewart Company. So does the City have a deal with the m?

. . . homeowner's, renter's rebate program, and if the landlord is a nonprofit or a federally-funded building and they don't pay property tax, then the tenants are no eligible to get a renter's rebate. I don't know if you want me to check into the status of that building to see whether they are a nonprofit or funded federally, I could check into that for you. Is that your building?

AM

No, the Lanar is, we get it, I don't have a problem with that. I have a problem with the 50%, you know, I get a, I live under a fixed income and they take half of that for the rent and I am allowed \$74 for food and then you pay table and you pay tv and cable as my luxury. I buy all my clothes at Goodwill and then I have nothing left, so I am supposed to save money to try to get a deposit, we have been looking three years, me and my partner, we live in different hotels, to get an apartment or a studio to live in. As one of the ladies said, to have a kitchen, someplace you can cook and a private bathroom and living space and it's impossible. We have been turned down for ever and ever and ever. We have put our name in all over this City and things have been to do with we don't make enough money, I had an eviction which I get killed for, I am mentally disabled and, you know, I get killed and killed and killed for it. Anything new that has been built in the City in the last few years we have put our name in and also a lot of old ones. It's like batting your head against the wall. And it's tired, I am tired. I want to leave the City. I wish I had a wand and I could just wave it but I am stuck with no money, what can I do? So, anyway, it's

Name	Comments
	<p>hard, it's just hard. This City is hard hard hard. The other thing I mentioned to Chris, it's too bad he's not here, one time, there is a lot of buildings in this City, for over 23 years I lived here this time, that have been boarded up for almost 20-15 years. Why doesn't the City move in and public domain? A lot of these are big buildings, they can be taken over, rehashed, redone, made into apartments, studios, whatever, places that are liveable. There are a couple on Market, a couple over in the Tenderloin, so, that's something the City needs to look into. That's it.</p> <p>And Supervisor Daly will be watching the tapes, he's assured us.</p>
AM	I talked to him when he was running, the last election.
BD	<p>And if I could also, just a sidebar, get your contact information, I'd like to follow up with you a couple of things you raised. So, Ms. Berella, I am going to give you a minute, if that'd be good. Is a minute all right?</p>
Ms. Berella	<p>. . . accountability, and you are monitoring what's going on in the City and needs and my contract says that my landlord will report my needs to you and that's not happening and I don't want to just come down on my landlord I don't think that's respectful enough. There is, in addressing this issue, options to avoid redundancy of funding. One of them is with the Federal Reserve Bank. Not too very long ago they put out a request for proposals of ways to find more information from low and middle income homeowners or housing or housing residents. More information about consumers' experience in low and middle income housing. Another option for funding redundancy issues is that Social Security believes that people with disability are entitled to accountants and I think you might get some information from those sources.</p>
BD	<p>Thank you. Ms. Klein, I believe is still here, I don't know if either of you want to take a minute and offer any summary or follow-up. You've not indicated to me what you think is a reasonable timeframe to follow up again if we continue this item, what would your preference be? I will tell you that we are planning to introduce a number of letters of inquiry and requests that the City Attorney is helping us to prepare related to inclusionary housing, related to a number of the different issues, the ombudsperson that came up today, so, we should probably give it some time but obviously there is urgency to this issue so if you could just indicate, do you want to try and do it in December, what would be your . . . January, okay. I would like to thank everyone's patience for being here, I am sorry that it got started late . . .</p>